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Contents

EDITORIAL PARAGRAPHS 57

EDITORIALS:
- Ireland on the Verge of Peace? 59
- Our Menace to Mexico 60
- Senator Borah at the Front 61
- H. R. 7456 61
- Torquemada Up to Date 62

ALVARO OBREGON AND HIS POLICY. By E. J. Dillon 63

THE TRUTH ABOUT THE AMERICAN LEGION (Continued). By Arthur Warner 65

THE GARDEN-SPIDER'S WEB. By Mahlon Leonard Fisher 66

WASTE AND LABOR. By Stuart Chase 67

IN THE DRIFTWAY. By the Drifter 69

CORRESPONDENCE 70

NOT ONLY ROSES. By Joseph Freeman 72

BOOKS:
- Law and the War. By Edwin M. Borchard 72
- Priestley in America. By Benjamin Harrow 73
- How to Know Authors. By Harold Goddard 74
- The Heart of Heloise. By Samuel C. Chew 75
- Current History. By Preserved Smith 76

DRAMA:
- America at Play. By Ludwig Lewisohn 77

INTERNATIONAL RELATIONS SECTION:
- Why France Demobilized the Class of 1919 79
- The End of Free Trade in England 80

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MOMENTOUS, indeed capable of immeasurable benefits to struggling humanity, is the action at last taken by President Harding in inviting France, England, Italy, and Japan to a disarmament conference and suggesting a special meeting in regard to the problems of the Pacific with China included! Everyone will now overlook the lost months, if only this wonderful opportunity is utilized to the utmost. Never before were the possibilities so great. Eliminated is the Prussian militarism which brought the Second Hague Conference to ignoble failure; gone is much of the pre-war British desire to dominate the world by force, else the Harding proposal would not be greeted with such amazing acclaim by England's press and public men. Everywhere people are weary of the blood-letting and wearier still of the terrible strait-jacket of military expense which rigidly encases the business and industrial world and wastes priceless never-to-be-replaced treasures of the earth. Now the way opens. If Mr. Harding—who has wisely placed the conference at Washington—will but take a strong and emphatic stand he may associate his name forever gloriously with greater service to all the world than has been achieved by any other modern ruler. Pitfalls there are in sight, of course. Senator Borah may be right in regretting that the beginning is not to be with the three great fleets alone. But nothing ventured, nothing won. If only the other rulers meet the proposal with the enthusiasm and the frankness of Lloyd George in the Commons success will be certain. In any event the heavens shine brighter today over a tortured universe than for many a year because of the prospect that common sense seems to have begun to play in the matter of the elimination of the world's most dreadful scourge.

UNFORTUNATELY President Harding's call for a disarmament conference seems to have no effect upon our immediate enthusiasm for new and more deadly war devices. From Washington comes word that our ordnance experts are planning a 4,000-pound air bomb, containing 2,400 pounds of TNT—the most deadly contrivance of its sort to date—while in the Woolworth Building in New York the other day there was a demonstration of a gun which is said to presage the possibility of hurling a projectile of five tons from 200 to 300 miles. "It will make war too terrible for nations to engage in wars," says the inventor hopefully. Yes, yes; but the phrase has a reminiscent sound. We have been hearing it in regard to every more murderous device since the siege of Troy. In most minds war had become too terrible to be possible in 1914, yet the impossible happened. Meanwhile we are glad to remark that our foremost ammunition maker has been appointed to fill the vacancy caused by the resignation of United States Senator Wolcott, of Delaware. This is as it should be. Who is more representative of Delaware than the man who built up its greatest industry? Only one thing is lacking. Since Lord Delaware has long been dead, and never made any powder anyway, we would suggest that the name of the State be now changed to Du Pont.

THE reinstatement by Postmaster General Hays of ten Chicago postal clerks discharged for union activities by Postmaster General Burleson marks another step in the restoration of American liberties. Mr. Burleson's idea that it was improper for postal clerks to attempt by organization to ameliorate their working conditions was just another of his odd notions which by virtue of his official capacity was unfortunately enabled to become a fact. The postal worker's job at best is no sinecure. It has been shown that at present it is not at its best, either as regards compensation or hours of employment. Public servants, no more than clothing workers or railroad firemen, are immune from exploitation by their employer, the Government. Their only defense is in union. And now comes the official statement that under the leadership of Dr. Lee K. Frankel, in charge of the welfare work in the Post Office Department, and with Mr. Hays's hearty approval, national and local councils from among the postal employees are to be formed to consider the betterment of working conditions generally. The employees are said to be enthusiastic about the plan, which would seem to indicate that this is not another paternalistic attempt to pat the worker on the back in order to keep him quiet. Certainly Mr. Hays, by one admirable act after the other, has earned the benefit of the doubt.

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TO the protest of Kate Richards O'Hare to the Governor at being spirited away from Twin Falls, Idaho, scantily attired and without warning, and driven all night through the desert because certain 100 per cent Americans of that State did not wish her to deliver a lecture there, the Governor's secretary (Governor Davis himself being absent) made the following reply: "Governor Davis . . . instructs me to tell you that the State of Idaho and its peace officers always protect citizens within the State whose purposes are lawful. He also instructs me to state that it is his personal view that those who wish to rise to the ideals of good citizenship are careful not to be a party in the exciting of passions which may have the effect of disturbing the peace of any community." Although Mrs. O'Hare complained to a deputy sheriff against eleven men of Twin Falls no arrests were made. Governor Davis seems to make it plain that none will be. Run with the herd, he says, and you will be protected by its police; attempt to step outside the beaten track, even though there is no question of your being within the limits of the law, and, in Idaho at least, you take the consequences.

THE close connection between our supposedly public governments and our admittedly private financial corporations is generally recognized but rarely so clearly put in black and white as in connection with the failure of the great French institution, the Industrial Bank of China. It has come out in the parliamentary debates that Philippe Berthelot, Secretary-General of the Foreign Office and a brother of the president of the Chinese bank, committed the French Government to the support of this private institution in telegrams sent last January to the Allied Governments during the ministry of Georges Leygues. The ex-Premier denies having signed or authorized these telegrams, but they bore his name. Premier Briand has assumed responsibility for the situation and declares that the bank must be rehabilitated by a government loan. He has been upheld by a slender majority in the Chamber of Deputies, largely due to the support of General Castelnau. General Castelnau now says that in return for his support Briand promised that the Secretary-General of the Foreign Office should be dismissed; this Briand denies. The incident is characteristic of conditions in France, where business and politics are often frankly conducted in a family relation. In this country the relation is probably as actual but seldom so direct. Those optimistic persons who hope to better conditions by mere political reform would do well to ponder this shining instance of politics and finance as two fingers of one hand—the fingers crossed against the public.

THE recent sale by the English of ten former German ships to their previous German owners is one of the most striking proofs of the economic blunders and wastes of the Treaty of Versailles which have yet been afforded us. The Germans were never, never to be permitted to get those ships back under any circumstances, but so great is the depression in British shipping, due in considerable degree to the taking over of those very ships, that their resale has given rise to no other feeling than one of rejoicing that they are got rid of. Yet under the treaty Germany was compelled to send them to England and repatriate the crews that took them over. They have been out of the German service for two years and have served nobody in the meanwhile. Now they are go back again where there is a real economic need for them. It must not be deduced from this that *The Nation* did not favor restitution to the British shipowners. On the contrary, the British owners who lost ships were of right entitled to be repaid by Germany. It was only the method that was objectionable and so characteristic of that economic short-sightedness of Paris of which Keynes and so many others complained. The Allies by their blockade of Germany and their sanctions and their cutting off of trade with Russia have done what they could to continue the unsettlement of Europe, and to make it impossible for the Germans to earn the proper indemnities, in which there should of course have been included the necessary payments for Allied ships sunk. Taking their ships away from the Germans has trebly hurt the Allies, by making Germany's industrial recovery the more dubious, by delaying restoration of normal conditions on sea and land, and by adding to the glut of Allied ships, which has filled England's ports with empty vessels and unemployed crews.

IN 1916 Edmund von Mach, an avowed and ardent pro-German, published through the Macmillan Company a book called "Official Diplomatic Documents Relating to the Outbreak of the European War" which was shortly afterward withdrawn from circulation by the publishers at the request of Sir Frederic Macmillan of the English branch of the firm. The reason alleged was that the book contained inaccuracies, as it did; it now appears, however, that the suppression was ordered by the American house before there had been time to investigate the inaccuracies charged against Mr. von Mach. The Macmillan Company was of course at liberty to refuse to fulfil its contract, but it had in that case a responsibility to the author. That responsibility not being agreed upon, Mr. von Mach brought suit, with the result that the case has just been settled out of court, an unnamed sum paid as damages due the author, and the plates returned to him so that he may reissue the book. It is perhaps an evidence of the return of sanity to our courts that the publishers in this case did not care to allow it to come to trial. Whatever might have happened in 1916, when we were still officially and legally neutral but had been lashed to fury by contending propagandas, it seemed clear in June, 1921, that the law was not such a respecter of persons as to deny a man his plain civil rights in a contract because he happened to hold unpopular opinions regarding an international matter. But how our leaders of opinion would have raged had they heard in 1916 that some German publisher had caused the suppression of a book here because it favored the Allies against the Central Empires!

FOR the moment *The Nation* is going to stop its fight for free speech, free thought, and free Haiti, and enter the lists as the champion of free hair. Several business firms, headed by the Aetna Life Insurance Company of Hartford, have announced that they will no longer employ short-haired women. Is not this an unwarrantable infringement of personal liberty? Is there a word in the Declaration of Independence, or the Constitution of the United States, to justify it? A thousand times no. In fact, short hair for women, as any honest and intelligent person can see, is the shortest route to life, liberty, and the pursuit of happiness (if not always to beauty) and the

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right to it is affected neither by race, color, nor any previous condition of servitude, matrimonial or otherwise. Let it not be said in this country of the free and the brave that any American woman ever missed being economically independent by a hair's breadth—or length!

THE whole community has reason to be thankful when the labor movement undertakes the education or enlightenment of itself or the public. In an informed working-class and an open-minded community lies our only hope of an ordered and intelligent progress toward social change. In the neighborhood of New York two efforts of this sort are in progress and both of them need and deserve support. The Brookwood School at Katonah aims consciously to educate labor leaders—men and women who can offer to the movement minds trained to an intelligent grasp of economic and social problems and capable of offering expert service. Every subject they study will be taken up from the point of view of its bearing on the labor movement and its graduates should be capable of a statesmanship which that movement has sorely needed. It is interesting to observe that several members of the group of far-sighted labor men who are backing the Brookwood School are also on the committee which is organizing and will manage the *Labor Age*, a monthly publication emerging from the *Socialist Review*. The new monthly, which promises to start publication in the fall, aims to become a general labor review and to present both facts and comment. It is designed to increase tolerance and clear-thinking and solidarity in the labor movement. This is a perilous time for ventures which depend upon public support for their very existence, but *The Nation* earnestly hopes that these two efforts will find in the labor movement itself and in the intelligent public enough interest to sustain them. The United States is far, far behind the other leading countries in the development of its labor movement in which there are many evils honest, wise, and trained leadership would eliminate.

THE memorial days of great men take care of themselves. Shelley will not be forgotten next year nor the centenary of Matthew Arnold neglected. There is a pathos about the lesser names which grows as their shadows fade. Yet who shall blame people for forgetting, in a troublesome world, that so frigid a gentleman as Mark Akenside was born in 1721 or even the gifted and unhappy Collins? These are quiet in their graves. But there are personalities whose abounding vitality and intense natures would seem calculated to defy forgetfulness. We have seen no reference to the fact that this year marks the bicentenary of Tobias Smollett, the tercentenary of Andrew Marvell, and the centenary of Richard Burton. Yet the rich, gay, hearty people and tales of Smollett are in a thousand minds; who that has once read them can ever forget—to name but one poem—Marvell's great lines to his coy mistress? Who has not dwelled upon the mystery and skill and courage of Burton's eastern pilgrimages? Fame has its subtle favorites and these names illustrate that favoritism. Donne is talked about and Marvell neglected; the generous Smollett is overlooked and the meanly clever Sterne celebrated. These verdicts need shaking. And the best way to shake them is to reread the poems of Marvell—virile yet sweet, subtle and clear at once—and to substitute "Humphrey Clinker" for some more bloodless and far less stirring story of today.

Ireland on the Verge of Peace?

AT probably the most solemn moment in Irish history these lines are penned. Thanks to the mediation of General Smuts and doubtless to the urging of others of the British Premiers, Mr. Lloyd George has taken the honorable course, and Mr. de Valera with exalted spirit and courage has met him half way. Consequently there is an armistice in Ireland; the terrible warfare of brethren is halted, the shedding of precious blood stayed. That the hideous struggle may never be renewed must be the prayer of humane men and women everywhere. If only now these men in whose hands lies the fate of a race may have the wisdom the past has so sorely lacked!

There is but one issue now. Will Mr. de Valera accept anything short of complete independence? In his message to the American people seeking support, the President of the Irish Republic asks America's active aid to bring about "a solution of this problem on the only basis on which it can be solved—acknowledgment that Ireland should by natural right be free." That may mean that he will continue to demand complete independence and a recognition of the Republic, or that he will stand for the freedom of Canada and Australia and South Africa. The Premiers will undoubtedly urge this upon him; but he who knows best the temper of the South of Ireland, who has seen Irishmen by the hundred cheerfully going to their death for an Irish Republic, may find himself stopped by their memories from taking anything less. We hope that this will not be the case. To win, after all these centuries, dominion status, complete fiscal autonomy, and home rule in its entirety would surely be advance enough for the present day. Ireland, thus relieved of blighting and despoiling government by London and Dublin Castle, would arise and flourish like the green bay tree. It could continue, if it wished, to develop its language and its national spirit, to plan for future independence. The alternative means more bloodshed, more death, more ruin, and eventually complete destruction.

But, we hear voices say, why should the Irish take less than a loaf when they have plainly brought England to her senses? Well, they have achieved wonders. It was only the other day that Lloyd George and Greenwood were going to make of Ireland a wilderness rather than treat with the "murder gang." Now President de Valera finds himself in a position to turn any but the wisest of heads. By consenting to the armistice *England admits to all the world that she has been dealing not with a murder gang in Ireland but with a full-fledged revolution, as much warfare as the American Revolution of 1776.* By recognizing De Valera it admits that he is the *true and chosen representative and spokesman of the great bulk of his people.* It is true that the British Government addresses him as "Mr. de Valera," but so did they address as "Mr. Washington" another rebel, a certain General Washington, Commander-in-Chief, and after all that is a trifle. It is to his credit that Lloyd George had the good sense to admit defeat—Sir Philip Gibbs incidentally avers that it is the economic boycott of Ulster and the terrible losses inflicted on her merchants and manufacturers which has made the North ready to deal with Catholic Ireland. Plainly Mr. de Valera treats with both England and Ulster on equal footing. But, remarkable as all this is, President de Valera will know just how far Ireland wishes the self-determination of her fate to go today.

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Our Menace to Mexico

CONFLICT with Mexico is inevitable unless something can stay the hand of our imperialists at Washington. Yet a mere point of procedure appears to be keeping Mexico and the United States apart and increasing the tension between them. This crisis is far more serious than the public realizes; for the Hughes-Harding policy, if persisted in, will lead straight to intervention and bloodshed. Indeed, the stage is being rapidly set. At Tampico the background for possible intervention is being carefully prepared. There the great American oil companies have shut down their works in protest against the export tax imposed by the Mexican Government and demanded by our American domestic oil-producing interests. Thousands of employees are thus turned out to starve; and the minute they were locked out came intimations that there was likely to be disorder and rioting. Before the ink was dry on the reports of these rumors American warships appeared off the harbor of Tampico, quite as if dropped from the skies. Fortunately, they have now been withdrawn, but while they were there anything might have happened—witness Tampico, 1914 and Havana, 1898.

Meanwhile, the negotiations between Mexico City and Washington progress not at all. What the United States demands of President Obregon that official cannot give in the way it is asked. In the first place, it is contrary to logic and morals. In the second, Mr. Hughes is asking President Obregon to violate the Constitution of Mexico, precisely as President Vincent was asked to violate the Haitian Constitution. When the latter refused to dishonor his office as head of the Senate, the Haitian Congress was broken up by our armed marines. Today Mr. Hughes is similarly threatening the sovereignty and peace of Mexico if President Obregon does not do what he wishes. In the third place, if President Obregon should do what has been asked of him he would bring the whole Mexican situation down about his ears. He has bitter opponents seeking just such an excuse to rise against him. The crime of it is that the very best opportunity Mexico has had since the revolution began to achieve perfect peace and order is being wrecked by this policy. This is the opinion of the leading foreign correspondents in Mexico today, such as Mr. Leopold Grahame of the *London Financier*, who declares that our refusal to recognize Obregon is heading Mexico straight back to "internal anarchy and disorder."

What are the actual facts? The United States asks of the Mexican President that he shall by treaty affirm his spoken word to the effect that Article 27 of the Mexican Constitution shall not be retroactive or be made confiscatory. President Obregon has repeatedly stated that this is and will be the Mexican policy. To this the United States replies that Obregon is only Obregon; that in Mexico presidents rapidly succeed presidents, and that all the United States asks is that this pledge be affirmed definitely by treaty of the Mexican nation. Then, and not until then, is there to be recognition of General Obregon's Government. To the bulk of our superficial daily press this seems eminently praiseworthy. What could be wrong with it?

Well, what is wrong with the American position is this: It assumes that General Obregon's Government is not fit to be recognized, but is yet so excellent a government as to be quite up to negotiating a treaty. Give us a solemn, binding agreement, says Mr. Hughes to Obregon, and we shall discover that you are the very man to have the fullest support of our Government as ruler of Mexico. It is an extraordinary and unprecedented position to take. True, we have made bargains with republics to the south of us before, but never so openly and unblushingly at the behest of a portion of Big Business. It used to be the sound, as it is the proper, rule, as in the case of Servia after the murder of King Peter, to recognize even a bloody-handed regime if it was the *de facto* government. Latterly, the United States has insisted on exercising a right of censorship over the smaller American nations. Hence, Mr. Wilson's attitude toward Huerta, to cite only one case. But this is the first time that the United States has deliberately made of recognition a public matter of give and take; has insisted before the whole world that a commercial bargain be struck before recognition is accorded. The gravity of this lies in the fact that if the United States does not recognize the Obregon Government it will collapse if only because it will not be able to obtain the money and credit it needs from Wall Street to rehabilitate its country, its railroads, and its public services. Wall Street and our State Department work hand in glove: no recognition, no money; recognition, plenty of money. So one of the greatest bribes in history is being held up to President Obregon. Dr. E. J. Dillon, one of the veteran journalists of the world, sets forth elsewhere in this issue what manner of man General Obregon is and how great his character. Why should we be threatening such a man with ruin and not helping him? Why should the State Department not realize that if General Obregon does its bidding there will inevitably be an immediate revolution in Mexico? Were these the times before the war, General Obregon could turn to European bankers for aid and be certain of recognition by other countries. This is impossible today if only because England and France have announced that they will play the role of sheep to our bellwether.

The simple fact is that if Mexico wishes to make Article 27 of the Constitution retroactive it has the right to do so provided only that in doing so it in no wise discriminates against Americans but treats Mexicans, English, French, and Americans and all the rest exactly alike. It has said that it will not so discriminate. To withhold recognition from the Mexican Government because it will not violate its own Constitution is utterly unworthy of any nation that went into the European war on behalf of liberty and of the rights of small nations. It smacks of hypocrisy, nothing more and nothing less. If this policy is persisted in it will make the "Colossus of the North" a menace to every country to the south of us. We cannot see why it should not lead to an immediate Pan-American Union, not against the United States but against the imperialists in Washington who betray the conscience and the righteousness and the nobility of the plain American people—they want no war and no intervention in Mexico at the behest of the oil interests or any other capitalist group in America. We cannot understand how South and Central America can delay a day or an hour in organizing against the imperialism of Washington. It seems their plain duty if Mexico is not to be permanently vassaled by the protagonists of Mittel-America in Wall Street and Washington.

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Senator Borah at the Front

MR. MARK SULLIVAN, writing as a Washington correspondent, has made the interesting, if extremely belated, discovery that the leadership of the Senate has passed to William E. Borah of Idaho. Senator Lodge is nominally the Republican leader, but he has been little in evidence since the treaty fight ended. The long illness of Senator Penrose, and the growing indisposition of Senator Knox for sustained intellectual effort, have aided in shattering the old steering-group, of which Mr. Smoot is also a familiar figure. So the way was opened for new leadership, and Mr. Borah, whether consciously or unconsciously, has taken it. But, *pace* Mr. Sullivan, it was in 1919 and 1920 that the intellectual preeminence of the Senate passed to him, at the very time that Mr. Sullivan and the New York *Evening Post* were prophesying the complete defeat of the "irreconcilables." When the history of that remarkable legislative struggle, which seemed so hopeless at the beginning, is written, it will show that for steady driving ahead, resoluteness of purpose, remarkable strategy, and absolute determination to succeed, the palm belongs to Senator Borah.

It is this very resoluteness of purpose, coupled with incessant labor, which makes Mr. Borah so formidable. No other Senator sticks more closely to his job and declines more invitations to appear in public and to enhance his reputation. He never loses an opportunity, or a trick; his sizing up of the situation at any time is so remarkable that his prophecies are amazingly correct. Wall Street concedes that as a Constitutional lawyer he is today surpassed by none in Congress unless it is Senator Knox. He never was really spectacular; he grows less and less so. He has made no dramatic play for the spot light in the disarmament fight and no appeal to sentiment or emotion. He has just plugged away at his resolution, confident of its success, but organizing and planning steadily and quietly behind the scenes. His power reaches into the House as well; he has exerted great influence there upon the fight for a small army; and he can be relied upon to continue it until this country is freed from the burden and the abomination of a large standing army.

The disarmament campaign has been only one of Mr. Borah's varied activities this year—all requiring courage and nerve. Thus he served notice in ringing words upon the North Carolina Republicans who have been trying to drive the Negroes out of the party that he would rather leave it himself than lift one finger to aid them in their undemocratic and un-American purpose. Always fighting for free press and free speech, the Senator has recently tacked on to the latest sedition bill some proposals in the form of an amendment which he offered as a separate bill last February. They call for the automatic dismissal of any Federal official violating the right of assembly, or contravening the Constitutional rights of any individual—something that, if enacted, would stop the official lawlessness and crime which have so disgraced the country since we entered the war. Similarly, Senator Borah has been actively trying to have the obnoxious war laws abrogated. It was this same Senator, too, whose protests compelled his party and the President-elect to abandon the usual inauguration splurge, for which act Mr. Harding was so warmly praised. Just lately he has taken a strong stand upon the bonus question and has vigorously opposed the latest bill in flat defiance of the soldier vote. His proper and sound protest against the appointment of Mr. Taft as Chief Justice of the United States we commented upon last week.

Thus, because of his ability and courage and his sense of what issues the public is feeling keenly about, Mr. Borah has come to be the most effective and virile figure in the Senate. In the last few weeks he has been dangerously near a clash with the President on several issues, if only because, as he warned the Senate last winter, he "will not abdicate his judgment" and subordinate his views to anybody else's. When he takes a position he holds it and is afraid least of all of the White House. If any revolt starts in the upper house against Mr. Harding it is likely to begin near the Senator from Idaho, and no man is other than a formidable antagonist who can play so dogged, so patient a waiting game. He introduced his proposal for a disarmament conference with Japan and England on December 14 last. He ignored innumerable efforts to sidetrack it, including various hints from the White House, and saw it unanimously adopted by the Senate on March 21 and accepted by both houses June 29. There is beginning to be something of the surety of progress of a glacier about Mr. Borah's undertakings, and no President would be wise to go counter to the Senator's course without being prepared for the consequences. Today Mr. Borah is steadily winning the support of liberal groups despite their criticism of him for his anti-suffrage stand and his vote for the bogus emergency tariff. Perhaps his readiness to take a decided stand upon public issues is due to his not permitting any idea of the Presidency to affect his course.

H. R. 7456

IT is doubtful if in the history of political affairs a measure so irredeemably and universally vicious has ever been submitted to the law-making power of a civilized society as H. R. 7456.

In these words the Democratic minority of the House Ways and Means Committee records its dissent from the Republican tariff measure introduced into Congress by Representative Fordney. The language is strong and the opinion not without political bias, yet the consequences of the legislation, if enacted, may prove the description to be not greatly exaggerated. As so often happens, Congress is beginning to discuss the two most important topics before it—taxation and the tariff—at a moment when hot weather and vacation plans make it most difficult to concentrate public attention upon any abstruse topic. But the situation is doubly unfortunate this year in that, contrary to custom, the committee hearings were secret and the bill is so drawn as to make it difficult to compare its schedules with those of previous measures or to predict its detailed effect. Classifications have been altered and variable duties imposed, while most complicating of all, the basis of valuation has been changed from cost abroad to the selling price of "comparable and competitive products" in the United States. In spite of much confusion, however, the general character and inevitable consequences of the legislation are only too plain. Representative Fordney himself has said that the duties proposed average about the same as those of the notorious Payne-Aldrich Law of 1909, which split the Republican Party open and led to its overwhelming repudiation in the Presidential election of 1912.

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But the present bill is far more dangerous than the Payne-Aldrich Law. That legislation was limited in its evil effects primarily to the United States. The Fordney bill possesses tremendous potentialities in connection with the rehabilitation of the entire world from its post-war prostration. To quote again the words of the Democratic members of the Ways and Means Committee: "At the very time when extraordinary efforts are afoot to save from utter ruin great nations devastated by the late war, it is proposed by this bill to declare a savage commercial war upon the whole human family." That is the naked truth. Moreover, we cannot even contend that in declaring this economic boycott against the rest of the world we are helping ourselves—unless by ourselves we mean the profiteers who are squeezing the juices from our industrial life and throwing the lees to the general public. Representative Garner estimates that the tariff measure will cost the country about two billion dollars annually, or $100 for each family of five.

Since the historic McKinley bill of 1890, this is the fifth tariff measure to come up in Congress. In every other case a radically different situation from the present prevailed. We were formerly a country with a large output of agricultural products and raw materials, but with few manufactures. If we chose to put a tariff on foreign manufactures it mattered little to the rest of the world, and a protective policy was undoubtedly efficacious in building up home industries, although it was expensive and unjust to the people as a whole. But conditions are now entirely changed. Nobody dares any longer to ask protection for our "infant industries." Representative Fordney, realizing how ridiculous the historic pleas for a protective policy would sound in this day, is urging his measure ostensibly as a means of furnishing work to our unemployed. Pure moonshine! We are supplying most of our own needs, and have a large surplus both of manufactured articles and agricultural products that must be sold abroad if our industries are to be kept running. A primary cause of unemployment now is the collapse of our foreign trade, which fell from a value of $1,188,255,449 for July, 1920, to $527,378,825 last May. In order to sell goods abroad we must let people pay for them, and the only way possible is in their own products. In other words we should encourage, not penalize, imports. Will Representative Fordney or any other Republican in Congress tell the country how high customs duties are going to do that?

To revert once more to the minority statement from the Ways and Means Committee:

> It is false to say that the majority were commissioned by the people at the last election to revise the tariff. . . . The tariff was not an issue in the 1920 campaign. The people did not believe they were voting for a change in the tariff. It may well be admitted that in the back of the heads of the men in control of that convention at their 2:00 a. m. conference in the Blackstone Hotel there was the purpose to revise the tariff up if they got the chance, but they never avowed it to the people, and in the subsequent campaign their candidate had little or nothing to say about the tariff.

The Fordney bill will not revive business, nor cure unemployment, nor help the farmer; it will place a staggering additional load upon the consumer and impede the economic rehabilitation of the whole world. But (Hist! For this is the answer) it will enrich the little junta of profiteers, middlemen, and financial manipulators who get their profit coming and going and thrive in proportion as they can befuddle and humbug the rest of us.

Torquemada Up to Date

[William Jennings Bryan will lecture next Saturday evening on "The Menace of Darwinism in American Education and Religion." It is announced that Mr. Bryan will devote the remainder of his life to a defense of the Bible.—Press dispatch.]

In Zion City they forbid
The filmy waist and stocking,
And where the Atlantic roars they find
That human skin is shocking.

Old Mississippi claps in jail
The man who utters curses,
In Utah smoking cigarettes
Is worse than cutting purses.

Speak Dutch in Texas and a mob
Of righteous men will follow,
And they who roll you in the tar
Put breeches on Apollo.

Or if you say that peace is best
And murder is a pity,
You're held up to shame by those
Who serve the Lusk Committee.

"To mention man's mammalian ways,"
Says Comstock, "is not nice, sir,
And if you do you'll share the fate
Of Cabell and of Dreiser."

And last the great Nebraskan comes
Whom drought but makes more fiery
To trim the young idea and smite
The naughty mind's inquiry.

It has been tried before, good friends,
By mob or Inquisition,
But human nature shook itself
And sent it to perdition.

It is not love that would reduce
All men to one mean level,
And call the wants *you* do not feel
The promptings of the devil.

Man is, thank heaven, not "safe and sane"
In any age or nation,
From love or art his spirit craves
A high intoxication.

And with the search for truth to which
There are no sacred matters,
The taboos and the walls and laws
That hem us in he shatters.

And on his long, historic road
Of glory and defiance
He scarcely glances back to note
The Comstocks and the Bryans.

As when a ship with sails outspread
Leaps past the waves that under
Its keel keep brawling that in vain
It seeks a land of wonder.

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Alvaro Obregon and His Policy

By E. J. DILLON

IN the course of a varied experience in most parts of the globe during the long span of time between the close of the Franco-Prussian War and the Paris Peace Conference I have come into contact with most of the statesmen, rulers, and leaders of men whose deeds and endeavors have made contemporary history. The list includes Bismarck, Gambetta, Gladstone, Crispi, Chamberlain, President Kruger, the Marquis Ito, Disraeli, Roosevelt, and Venizelos, and most of the prominent public workers of the present day. And I can honestly say that none of them impressed me so powerfully or so favorably from the point of view of leadership, single-mindedness, and that elusive quality which occasionally goes by the name of grandeur as the Mexican reformer of whose existence and aims the people of the United States are only now beginning to have a vague inkling.

Alvaro Obregon is a born leader with whom love of justice is a consuming passion, and duty the highest law. A man of sterling character and of a humane and sympathetic temper, he combines the fervor of the idealist with the capacity of the organizer, and his solicitude for the well-being of the masses is the driving force of his public and private activities. His words are acts and his promise the beginning of achievement. His respect for truth in all its Protean shapes and singular surroundings is almost tantamount to worship.

Before I had the advantage of meeting Obregon I had heard much about him from eminent Americans—experts all of them on Mexican affairs—to whom the principal sources of information public and private were easily accessible. And the portrait which I drew from the data thus liberally supplied was the reverse of attractive. Later on when I came to know him as he is I perceived that the data were fabrications and the portrait a sorry caricature.

I should like, were it possible, to ascribe the circumstantial and false information volunteered to me by my informants to what Goethe termed the dangerous ease with which a great man's contemporaries usually go astray about him. "That which is uncommon in the individual bewilders them," the poet adds, "life's headstrong current distorts their angle of vision and keeps them from knowing such men and appreciating them." But it is to be feared that the true explanation lies elsewhere.

My first visit to Obregon took place while I still believed that he was one of the least reputable types of the class ridiculed in the United States as the Mexican bandit general. Primed with this idea I called on him one afternoon at his hotel in Mexico City. His ante-chamber was filled with typical representatives of the despised poverty-stricken masses with whom he was hail fellow well met. He inquired what he could do for me. I answered, "I merely wish to know how you intend to deal with the problems of recognition, of Mexico's debts, of foreign claims for losses, and kindred matters, when, as now appears certain, you will have entered upon the duties of President." "My answer is simple," he replied laughingly. "Mexico will pay all her debts and satisfy all the just claims of foreigners. As for recognition, I cannot admit that that is a Mexican problem. Foreign states will recognize the lawful government of the Republic in accordance with the law of nations. That is all. You would not suggest, would you, that any of them will make a new departure?" I arose, said that I would not trespass further on his time, thanked him for his reply, wished him good afternoon, and left.

Next day a friend of his informed me that the General would be pleased to see me again, to have a more satisfactory talk with him, adding that he had been under the impression that I was one of the numerous callers whose aim was to ply him with futile questions and then to comment adversely on his answers. He intended to start in two days for his home in Nogales and would gladly receive me any time before his departure. I said that I would not trouble the General further now but might possibly be in Nogales myself in a few weeks when I would take the liberty to call on him. The next day I received an invitation to accompany him on his journey to Nogales and after a few hours' deliberation I accepted it.

On that journey and on our many subsequent travels I had a rare opportunity to study General Obregon in the various lights shed by adventures pleasant and unpleasant, exhilarating and depressing. I saw him in his native place surrounded by his family and his kindred. I conversed with his earliest teachers and his schoolmates. I observed him as a candidate for the Presidency and listened to over a hundred of his electoral addresses, always with a keen sense of aesthetic enjoyment and at times with admiration for his fairness and generosity as an antagonist. To my knowledge he possessed documents which if published would have debarred certain of his adversaries from ever again appearing on the public stage. But he declines to make use of them during the elections or indeed later unless the behavior of the authors should oblige him to make known their misdeeds.

Obregon is a man of the people, a proletarian of the proletariate, a lack-all who worked his way up from the lowest rung of the social ladder to the highest by dint of intense painstaking while preserving his 'scutcheon from blot or stain. Whatever he set his hand to, that he persevered in until he accomplished the task. As a simple workman he labored with might and main to the satisfaction of his employers, who soon gave him a post of trust and responsibility. As a farm hand and farmer he acquainted himself with agriculture in most of its branches until his qualifications enabled him to render a lasting service to the whole state in which he was born. Combining mechanics with agricultural industry, he invented a sowing machine which is employed today in various states of the Republic. Political conditions constraining him to abandon his peaceful existence and his ideal family life, he became a soldier and applied himself so intensely to the requirements of his new profession that he finally ended this uncongenial career with the triumph of the popular cause and the well-deserved reputation of a genial military strategist as well as a most successful organizer.

Obregon is one of the very few men I have met—Venizelos is another—on whom power and rank have no further effect than that of sharpening their sense of responsibility. In all other respects he is as he was. Kerensky the Russian lawyer whom the turn of fortune's wheel

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raised to the highest post in Russia had his head turned dizzy and his estimate of values upset by the all too sudden change. In the Czar's luxurious apartments he is said to have attired himself in magnificent costumes and to have striven to add a cubit to his mental and moral stature by the aid of the cast-off finery of the former autocrat. Obregon is a man of a wholly different cast of mind and type of character. He owes everything to himself, nothing to artifice. In virtue of his unbroken military successes, his moral rectitude, and his transparent sincerity he wields an extraordinary sway over the spirits of his countrymen; and he uses this for the purpose of inculcating among them faith in the great emancipating principles of right and wrong, respect for law and individual right, and a striving after freedom with order and administration with integrity.

Those aims underlie Obregon's foreign and domestic policy, and nothing that he undertakes or achieves will be found to run counter to any of them. His fiscal measures, his political program, his attitude toward the State Department in Washington are all practical corollaries of these principles and aspirations. In this way he has imparted to the new generation of his countrymen a powerful impulse in the direction of substituting veracity and moral rectitude for old-world politics and diplomacy. He knows better than any of his contemporaries the nature and gravity of Mexico's wounds and infirmities and also the efficacious remedies which he is ready to apply. That knowledge embraces the entire problem and includes every detail. He perceives the needs of each district and their relation to those of the entire state, those of each state and their relation to the Republic, and those of the entire Republic in the frame of the community of nations. In a word, he is endowed with the gift of seeing things in true perspective, in which they are seldom, if ever, surveyed nowadays on this or any other continent.

Obregon's presence is the embodiment of unaggressive strength and quiet natural dignity. His glance is searching and is often accompanied by a mental, almost perceptible, effort to complete the impression which he is receiving from the words of his interlocutor by inspection of his motives. Optimism is usually depicted in his mien, tone, and language, but it is the optimism of the man who having struggled against vast odds and won feels himself specially favored by circumstance and inspirited by past experience. He is cautious withal by temperament, enthusiastic by reflection, persevering on principle. While preaching high ideals he rates at its just value the poverty of the soil in which he is sowing them and is prepared to content himself with a proportionate harvest. In his theories there is no room for staggering misgiving, and from his action he banishes hesitation. "Vacillation spells failure," is one of his everyday sayings. While guided by experience, he is not self-opinionated; his inquiries are broad, his mind open, and his prejudices are neither many nor insuperable.

Obregon's moral code, like that of the Japanese, is interlaced with what is known in Spanish lands as the *punto d'honor*, and for this as for that he is ready to make the supreme sacrifice. He is neither vain nor conventionally modest, simply proud with that legitimate pride which springs from consciousness of duty performed and his role well played.

As an orator he deserves high rank for qualities which are innate and are therefore often belittled by those who lack them. He discards the usual artificial aids and speaks briefly, simply, and to the point. His every discourse is a message. He has the knack of imparting to his hearers a direct interest in the matter dealt with. And however homely the subject, he views it with a mind permeated with a sense of the larger issues of which it is an integral part. Obregon knows the crowd much better than the individual. None the less he is often strikingly right in his judgment of individuals, which is mostly intuitive, but when dealing with personal friends his intuition is sometimes paralyzed. He is then blind to defects that are almost obvious.

One afternoon in Tehuacan General Obregon and I had a long talk about his plans of reconstruction and the principles that would govern them. And here is a concise note of the conversation which I jotted down immediately after for future reference:

He is resolved to substitute morality for politics. Recognizes power only as a means to an end—the end to be the good of the community. The making of laws is easy and the belief is common that by statutes you can right every wrong. But what counts more than the wording of an act of Congress is the integrity of those who interpret and administer it. Never hesitate in a crisis. If you take a resolution carry it out with might and main. If you are dubious give it up altogether, and if convinced that it is the right thing to do tackle it even though you have no hope of achieving it and persevere even though failure should stare you in the face, for it is not only what you have actually done but also what you would do that counts.

Mexico will find her right position, not through aloofness from world affairs, but rather by recognizing the essential unity of humankind and the need of developing the resources of each country for the benefit not only of the nation that owns them but also of humanity. Hatred of foreigners is a curse to the people who indulge in it, as history shows. Foreigners are the needed cooperators of Mexicans and should therefore be cordially welcomed.

Such in brief is the man who is striving to reconstruct the southern Republic today. During the few months that have elapsed since he entered upon his official duties he has accomplished much and has prepared the ground for much more. For the first time in history Mexico is now on the right road. Revolution has ceased and peace is firmly established. The factions that for years kept the country plunged in chaos are appeased. The outlook is most promising. The only lever by which the Republic can at present be thrust back into the quagmire of meaningless strife is of foreign origin. And the only apparent motive for using this fatal lever is a crazy infatuation for a hollow form.

General Obregon cannot purchase recognition by a treaty. He can and will discuss a treaty when he is recognized. To sign a political compact would be to violate the constitution and his oath, and to insist that he shall be a law-breaker and a perjurer in order to qualify himself for recognition is hardly in accordance with President Harding's public professions. President Harding said, "I want America to stop and turn its face forward not only for the achievements which we may bring ourselves, but also that we may play our part in showing the world the way to a righteous settlement."[1]

Now, there is apparently little righteousness in a demand which would make President Obregon a criminal, divorce him from his people, and establish and sanction a foreign veto on the domestic legislation of his country.

Side by side with this incitement to a breach of the con-

[1] Address to the District of Columbia Bankers' Association, April 20, 1921.

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stitution comes the demand of the oil interests that the State Department withhold recognition on the ground that the President is not observing the constitution as they interpret it in the matter of taxation. They contend that by levying the recent tax on oil exports he is violating their reading of that charter. Thus he is at one and the same time called upon to violate the constitution in one of its prescriptions at the demand of the State Department and to accept the oil companies' interpretation of another of its injunctions and adjust his policy to that.

In order to comply with these conflicting dictates a constitution ought to be specially framed for the behoof of foreign investors and its interpretation left to their judgment. Mexico's role would be to listen and obey.

A comment on President Obregon's telegram to the *World* attributed by the press to Mr. E. L. Doheny[2] is worth noting as indicative of the singular method of reasoning by which President Obregon's refusal to sign a treaty before recognition is assailed. What Mr. Hughes, Mr. Fall, and Mr. Doheny allege is that assurances given by Obregon that the rights of American citizens will be protected would bind only General Obregon. Therefore they are valueless. And yet Mr. Doheny in his comment says: "The question for Mr. Obregon to answer is: Do you intend to confiscate the rights of American citizens? If not, by what course of reasoning can you refuse to so state publicly and over your own signature before recognition of your Government by the United States Government?" The obvious reply is—by the simplest and most forcible method of reasoning known to the logician. If Alvaro Obregon were to make and sign that statement before recognition it would bind Alvaro Obregon and nobody else. Another reason, as Mr. Doheny knows, is that a good deal more than that simple statement has been and is being demanded by the State Department. Among other conditions President Obregon is summoned to violate the constitution and to be false to his oath.

And these conditions are unacceptable.

[2] *The World*, June 28, 1921.

The Truth About the American Legion

By ARTHUR WARNER

VII. Publicity, Official and Officious

COMING into existence, as it did, when propaganda had been raised to the *n*th degree, it is natural that the American Legion should have centered much of its attention upon publicity. Its chief means has been the official organ, the *American Legion Weekly*, the first number of which was dated July 4, 1919. Bellicose, blatant, and bellowing, the *Weekly* undoubtedly played a principal part at that formative period in turning the Legion from a legitimate fellowship of former service men into a heresy-hunting, business-controlled "strong arm" squad. The *Weekly* began to see red in the second number, and talked nothing but vermilion for the next six months. That second number led off with an article on Bolshevism by the now forgotten but then resplendent Ole Hanson, while left and right at the top of the editorial page were discussions of The Red Autocracy and Seeds of Discontent. From the former one culls such sentiments as: "The unbalanced temperament of virulent Slav radicalism can introduce no ideals of social conduct or government which Americans will care to accept," while of discontent we are assured: "'The man who was in the service wants to better his condition, of course, and he wants to better America. But he has his own ideas—American ideas—of how this will be done." On November 14, 1919, an editorial entitled Give Them a Sea Voyage announced:

> This season of the year one recalls the voyage of the Mayflower, which brought seekers of freedom to these shores. It is time for a return trip, bearing enemies of freedom from the same shores. . . . Thousands of their ilk ran around loose during the war, and while 4,800,000 Americans were in the fighting forces and the vision of the nation was fixed on the war, they were sowing the seeds of destruction and anarchy and laying the fires which they hope may make a Russia of the United States. They are not much of a menace in view of the new Americanism. But they are a beastly nuisance. Blast the crop. Stamp out the fires which already are being lighted. Run the Reds out from the land whose flag they sully. Cleanse the country of the skulkers whose insane ambition is to wreck it.

Along with, and doubtless growing out of the pursuit of the "red," began the hounding of the alien, in which the *Weekly* led the pack. Considering that America *is* the immigrant, that our accumulated industrial prosperity and our present standard of living is the direct creation of the foreign-born, this manifestation, which spread like a yellow fog over the country and is not yet dissipated, is one of the most cruel and surprising drifts of popular hysteria in our history. The *Weekly* began with a drive against the "alien slacker"—the man who had taken out first papers toward naturalization but canceled them in order to avoid conscription—demanding that he be deported. In Oregon the Legion gave the names of such persons to their employers and to the press, and the *Weekly* gloried that thus their existence was made "uncomfortable generally." With these individuals was presently confused any alien who used the neutrality of his country as an excuse for not joining the fighting forces—as thousands of Americans in Europe did previous to our entrance into the war. Thence it was an easy step to the hue and cry against all foreigners. On October 10, 1919, an editorial entitled Oust the Aliens said:

> An official demand has been made for the names of all aliens employed by the War and Navy Departments. Congress will be asked to demand their discharge. It is time to clean the Government's books of all aliens. There is an ample supply of American citizens to conduct the United States Government in all its details, functions, and ramifications. And there are now enough intensely American Americans to see that this is done in the future.

The American Legion certainly had an indirect responsibility for stirring up the passions that led to the tragedy in Centralia, Washington, on Armistice Day, 1919. Instead of repenting, however, the Legion capitalized the occurrence in its attack on radicalism the country over, and after the verdict of the court the *American Legion Weekly* perpetrated what can hardly be regarded as anything but a deliberate incitement to violence. It will be recalled that the verdict found seven of the defendants guilty of murder *in the second degree*. In other words the jury decided that

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the shooting was intentional but not premeditated; that it was the result of sudden provocation, which could have been nothing else than an actual or impending attack by the paraders on the I. W. W. hall. Second degree murder is not punishable by death. Yet on its cover-page for April 2, 1920—after the verdict had been rendered—the *Weekly* ran this caption: Unwept, Unhonored, Unhung. Below was an editorial which began:

> Those precursors of the millennium who advocate the abolition of the death penalty will find few recruits in the ranks of the American Legion as long as such brothers in good standing of the I. W. W. as John Lamb, Eugene Barnett, O. C. Bland, Ray Becker, Britt Smith, James McInery, and Bert Bland remain unhung. Four American Legion men fell before the cowardly volley these murderers delivered from ambush on the peaceful Armistice Day paraders at Centralia, Washington.

During the first half year of its existence money was shoveled lavishly on the fires of the *American Legion Weekly*. Expensive paper, many illustrations, and a colored cover were used. The money ran out in the winter of 1920, and a crash followed. For a month the *Weekly* was not published at all. Then it reappeared reduced in size, minus its colored cover, and printed on a cheap paper—in "fatigue clothes," as it explained. On August 13, 1920, it announced that it had 750,000 subscribers and was published at a slight profit. Thereafter for six months the foot of its cover-page bore the statement: "Net Paid Circulation More Than Three-quarters of a Million Copies." On March 4 of this year the statement disappeared, and no circulation figures have been printed since.

VIII. Americanization

It would seem that the attitude toward the alien taken by the *American Legion Weekly* would form about as impenetrable a barrier as possible for Americanization work. The first annual convention, in Minneapolis in November of 1919, added a few bars, however, by adopting the report of a Committee on Anti-American Propaganda, ranging from a tin-pan, flag-waving self-sufficiency which recommended legislation compelling all public and private schools to set aside ten minutes a day for "patriotic exercises," to a resolution that the Department of Justice be changed "from a passive evidence-collecting organization to a militant and active group of workers whose findings shall be forcefully acted upon by this our American Government." If this resolution meant anything, it could only be a plea for the establishment of a Russian police like that under the czars; it out-Palmered our former Attorney General himself in identifying Americanism with absolutism.

A National Americanism Commission was created soon after the Minneapolis Convention. When the first serious obstacle appeared, the Legion fell back on familiar tactics and attempted to ride roughshod over the opposition, right or wrong. It asked permission to station agents on Ellis Island who should have access to the Government's records regarding immigrants in carrying out the Legion's Americanization projects. The Assistant Secretary of Labor, Louis F. Post, refused the request on the ground that the Government had no right to turn over confidential records, which might be used for exploitation or abuse, to private hands. In response, the Legion sent a delegation to the White House to ask for Mr. Post's dismissal, basing the demand upon old and discredited charges in connection with deportation cases. To his credit, William B. Wilson, Secretary of Labor, stood by Mr. Post, pronouncing him "one of the truest Americans I have ever come in contact with."

The Post incident caused some backfiring in the Legion itself. There was complaint that the special committee, when ready with its findings, did not report to the existing National Executive Committee (because of known opposition there to the intention to railroad Mr. Post) and that it did not allow the issue to come before the Cleveland Convention, waiting for a new and friendly Executive Committee before it made its recommendation.

In pleasant contrast to the general attitude of the Legion toward the alien and toward Americanism, the *Stars and Stripes*, unofficial successor in this country to the War Department's newspaper of that name in France, recently printed some paragraphs under the caption What Every Veteran Knows, reading in part as follows:

> That "One Hundred Per Cent Americanism" too frequently is what I am and the fellow I don't like isn't.
>
> That the Army was full of a lot of Wops and Kikes and Russians and Finns and other low-down ignorant white trash and foreigners.
>
> That they all fought like the very devil.
>
> That a lot of wise guys whose ancestors came over on the Mayflower had good, soft jobs in the S. O. S.
>
> That the more education you had the less chance there was of getting killed.
>
> That the men who fell in France came from many racial beginnings, but they had a common ending under the same flag.
>
> That this is a good time for universal tolerance, and that the promoters of hatred and war usually begin by promoting intolerance.
>
> That "One Hundred Per Cent Americanism," if it truly means anything, means something a whole lot bigger than race, color, or previous condition. It means color of the heart, not of the hide.

Figs do not grow out of thistles nor can you make a silk purse from a sow's ear. Americanism, like charity, begins at home. Let the American Legion begin by Americanizing itself.

A fourth and concluding article next week will deal with the relation of the Legion to labor and to business, with its dwindling membership, and with its future.

The Garden-Spider's Web

By MAHLON LEONARD FISHER

A maker of fine lace the meadows know:
There where the wild brier-legions weave a hedge,
Spear-fierce, impenetrable, along their edge,
She plies her unseen needles to and fro,
Whilst I, who, hiding, watch her gray web grow,
Sudden as through a gemmed wheel-window see,
Whose architect still fingers lovingly
Its intricate tracery's tidelike ebb and flow,—
That labyrinth where myriads lose their way
(With what precise fine niceness by God-taught
And aptest airy geometrician wrought!),
A tenuous net at best for puny prey,
Whereon a dew-jewel, glist'ning, seems enorm;
Yet is it braced and stayed to stand the storm!

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Waste and Labor

By STUART CHASE

WATERMELONS. Thousands of them. Large, juicy, well-nourished watermelons decorating the Potomac River from Alexandria to Indian Head. Some floating majestically down stream; some caught in the reeds and marsh grass; some high and dry on the shore. They had arrived in Washington one day last August when the watermelon market was bearish, and, five thousand strong, they had been taken out to the docks and dumped. Meanwhile it is safe to assume that the watermelon appetite of Washington had been by no means assuaged. But, Allah be praised, the market had been stabilized.

Locomotives. Thousands of them. Large, powerful, well-nourished locomotives. But with something askew. A leaky valve, a choked flue, a rickety tender. These locomotives in the year 1919 had to be shopped—hung up on cranes and tinkered with. The railroads had shops with cranes and men. But the locomotives did not go into these shops. No, not as a rule. They went to other shops, maintained by outside supply companies, leaving the men and the cranes in the home shops with nothing to do. Idle men to be sure can be fired—and they were by the hundreds. But idle shops and idle cranes cannot, alas, be fired. They can only sit eating their heads off in depreciation, taxes, interest, insurance, and overhead generally. Meanwhile the railroads paid the supply companies for repairing their locomotives on the basis of direct labor cost plus 110 per cent for overhead and profit—a whale of a price. Meanwhile they paid in addition all the overhead on their own empty shops—making the total bill for repairs almost Himalayan. All of which you will agree is an insane and improbable procedure. Not at all. Not under the rules of businesslike acumen as practiced by all far-seeing captains of industry. This was a sound strategic move on the part of the financial managers of the railroads. For observe, they could shift the high cost to the Government, which was paying them 6 per cent over and above cost on the one hand, and throw the fear of God into the shop craft unions (who were getting altogether too cocky) on the other. Thus was justice served, and private initiative vindicated. That shops and equipment were idle, and that excess effort, time, and materials were devoted to repairing the nation's locomotives was too irrelevant to merit serious consideration.

Here is a printing establishment. A union rule provides that all advertising matter coming into the shop in electrotype must be reset in type by the compositors. The union graciously sanctions the use of the electrotype, but insists that the type be set and redistributed to secure the equivalent hours of work involved in setting up the original. This folderol is sometimes solemnly enacted days after the advertisement has gone to press.

Watermelons, locomotives, and printing presses. These are but three examples picked at random from the almost universal sabotage—now great, now small—of the modern industrial system. In the sum total these practices must reach amazing figures. The waste which flows from them is incalculable. And by waste is meant idle labor or idle plant, or labor and plant devoted to the production of goods or services which satisfy no recognizable human need. Employers' associations through pools, rings, monopolies, and "gentlemen's agreements" have time and again restricted output—with the resulting idle labor and idle plant, and often spoiled or wasted raw material—in the interest of "all that the traffic will bear." Labor unions have been known to do likewise—over and beyond, be it understood, reasonable provisions for health and safety. It is probable that the sabotage of labor is small compared to the vast businesslike arrangements of captains of industry, but from the standpoint of waste as defined the hands of neither party are altogether clean. Could these practices be in some way obviated, the resulting potential increase in production would stagger the imagination; would perhaps double the standard of living!

The problem of industrial waste is beginning to thrust itself to the fore. Invention and technical processes have progressed rapidly in the past generation. Oil, coal, lumber, iron, copper, and other raw materials have been pouring down the hopper of the industrial machine by the billions of tons. Factories, mines, irrigation projects have increased tenfold. Yet the standard of living of the masses of the American people, expressed in sound food, shelter, clothing, education, and amusement, has shown only the most sluggish advance. Some statisticians assert that "real" wages have not advanced since 1900. Somewhere in the process it is obvious that there is a tremendous leakage. Somewhere the gears are clogged and the engine choked. More and more, sensible people and honest people are beginning to pry up the hood, monkey-wrench in hand. And naturally the handiest man with the monkey-wrench is the engineer—the chap who knows that "what goes up must come down"; who knows that given so much in-put and so much power, the output ought to be thus and so—with no wide variations plus or minus. The politician, the orthodox economist, the financier are fortunately not bound by any such realistic limitations. Waste means little to them provided the phrases are ringing, the profits are coming in, and the "immutable laws" are all in working order. So it is natural to expect the technician to be the first sincerely to face the problem of industrial waste in its larger aspects. We say "larger aspects" advisedly. The engineer has already introduced the cult of "efficiency" which is by way of being a sort of John the Baptist. But industrial waste is more—vastly more. "Efficiency" sits in judgment upon the individual plant, or the industrial process, seldom questioning the relationships of the output to human wants, the relationships of the labor involved to human psychology, the relationship of the plant to the industry, or the industry to the whole industrial mechanism. Thus we find "efficiency" methods in the manufacture of deleterious drugs and munitions of war, while the philosophy of waste condemns the whole output as not only unnecessary, but vicious.

More constructive have been the proceedings of the Taylor Society—a group of progressive engineers—who, out of the groundwork of the old "scientific management," are slowly evolving an approach which comes close to the fundamentals of waste.

In their recent hearings before the Railway Labor Board in Chicago the railroad workers retained engineers to study the extent of waste in the railroad industry as now con-

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ducted. The finding showed that in nearly every department of railroading there were large preventable leakages, running to a total of at least a billion dollars a year. These findings furthermore were taken largely from the estimates and testimony of railroad managers themselves. Certain of the possible savings would require a considerable capital outlay; others were merely a matter of better management and administration.

Railroad executives when faced with these charges have shown a disposition to bluster, to bring counter-charges against the efficiency of labor, but very little has been said —or perhaps can be said—in respect to the findings themselves. In their hearts railway executives know that the indictment is largely true. Thus Samuel O. Dunn, next friend of the railroads and editor of the *Railway Age*, said recently in commenting on transportation wastes: "Mr. Brandeis, a few years ago, talked about a possible saving of a million dollars a day. If he said that now Mr. Brandeis would be a piker." Recall how Mr. Brandeis was heaped with abuse at that time!

The important point to grasp in the situation is this. Instead of the usual mud-slinging contest (of which large traces are still discernible, to be sure) between capital and labor, the introduction of the question of waste raises the issue to new and revolutionary grounds. The railway workers in broaching the subject of managerial efficiency have placed themselves flatly on record as having an interest in, and a responsibility for, furnishing the service of transportation to the American people. In its essence transportation is the carrying of the maximum of freight and passengers with the minimum of energy. The railway workers have recognized this basic engineering fact, and in effect have proclaimed that besides wages, hours, and working conditions they recognize the necessity of carrying a maximum load with a minimum of energy. In other words, if their engineering exhibits were made in good faith—as there is every reason to suppose they were—the workers desire a wasteless industry. And this is a very momentous fact to grasp indeed.

Most important of all the approaches to the question of waste, however, is the report of the Federation of Engineering Societies, on Elimination of Waste in Industry, which has just been made public. Under the leadership of Mr. Hoover a number of basic industries have been surveyed by competent engineers. They have defined waste broadly as the failure to utilize effectively mechanical equipment, raw material, or human resources. They have laid particular emphasis on the last factor—examining unemployment, personnel, and labor turnover. Their findings show that while labor is responsible for some 25 per cent of the total cost of waste in the industries they have examined, management is responsible for 50 per cent thereof—or twice as much. They state, however, that they are much less interested in locating responsibility for past performance than in indicating the many opportunities for eliminating waste in the future.

The full report, which includes the surveys of various individual industries, runs into some 125,000 words, and whatever its limitations, due to the comparatively short time in which the assay was made, it will form an arresting document—almost, one is tempted to say, an epoch-making one. The conception is broad and waste is defined as measurable in physical units. Here is no nonsense about profits, money, or credit, but the essence of waste—the physical stuff—*labor, raw materials, and plant.* However wavering the initial vision of the engineers who view industry from this angle, the conclusions to which they will be driven are relentless. When industry is at last analyzed from the standpoint of providing a maximum of human needs with a minimum of wear and tear, nothing less than a new industrial synthesis comes to light. It is not too much to expect that we stand on the threshold of a new view of modern industrial progress—a view profoundly illuminating and at times disastrously critical. In due time we may expect to have a sufficient body of data—of whch the Hoover report is the first authoritative contribution—to pass scientific judgment on the whole problem.

It is not too soon to suggest that the problem of waste approached in the scientific spirit is fraught with great significance to the American labor movement. The railway workers have already given a hint of what this approach may mean. Is there enough common sense in the labor movement at large to get aboard the band wagon, join hands with the engineers, and take up the challenge of industrial waste? For the financiers do not think in such terms at all, the engineers are just beginning to emerge from a Stygian night, and it is only labor in cooperation with the awakened technician—the workers of hand and brain—who can seriously face the problem and ultimately take steps toward its solution.

The main contention of the labor union hitherto has been "more pay for shorter hours." This is all very well as far as it goes; the realities of industrial growth and business-like administration hitherto have made any other course visionary and largely hopeless. But experience has proved time and again that on those rare occasions when labor has secured the whip hand, monopolistic tendencies have set in precisely similar to those of combining employers. We have seen the typesetters working on utterly useless advertising copy in order to restrict the labor output.

It should be said at this point that we are not about to break into a time-honored sob as to the necessity of union labor foregoing the few monopolistic privileges it has won. This is to be no plea for honest workmen to show their better natures, and to lie down and be good. Far from it. In the catch-as-catch-can of modern industry a union has no other choice than to fight the devil with fire. Grind or be ground, is the only realistic business ethic. But in raising the question of waste, labor has a unique and exceptional opportunity not only to advance its own position, but genuinely to serve the public interest at the same time. *On one condition—that labor extend its share of industrial responsibility.*

Instead of saying to the employer: "We will do the tasks you set us for the highest wage and in the shortest work hours we can force from you," labor will shortly have an opportunity to say: "This is an industry necessary to the public welfare; the boss and ourselves make this industry go (provided the boss is a technician and not a financier); we should both be responsible for its efficient conduct; we should both have something to say about how it should be run, for upon us both rests the solemn responsibility to keep waste at a minimum. Make this responsibility concrete by giving us as great a share in the management as our experience and our knowledge warrants."

Such a statement would mark the beginning of real industrial democracy—a condition flatly impossible while the boss maintains his emphasis on profits only and labor its

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emphasis on wages only. Not until both accept joint responsibility for the efficient conduct of industry can any genuine steps be taken toward the elimination of waste.

Again, there are certain broader implications of the question which, while not immediate, are of the utmost import to labor. We have said, and it is a matter susceptible of statistical proof, that the standard of living has increased but slightly in the past generation. A full half of the population still hovers about the poverty line; slums and destitution are still the heritage of every city; large sections of the rural population continue to live in abject misery. In other words, there is not enough of the right kind of stuff produced to go around. Vast quantities of production are drained away in luxuries and in harmful or unnecessary products. War, and preparations for war, take their colossal toll. But if labor as a class is ever to rise from the relative misery and poverty of its surroundings, more of the right kind of stuff—more houses, more wheat, more shoes, more schools—has got to be produced. And only through the progressive elimination of waste can production be progressively increased.

Higher wages and shorter hours under the present industrial system turn in due and regular course to a higher cost of living, and the vicious circle is complete. Certain favored unions may dig their toes in and reap a relative advantage over their fellow-workers—but by and large the standard of living stands pat, and will so stand until the end of time, unless ways and means are devised to secure more relative production per individual, and unless ways and means are devised to see that the individual gets it. For increases in "average production" are a bitter irony. Every time a millionaire orders a yacht to be built, "average production" takes a jump. Every time milady calls for rare perfumes and strange cosmetics, "average production" goes up. Production measured either in dollars or tons of goods per capita has vastly increased in the past thirty years, but the production of necessary well-made, consumable goods distributed to the individuals of the nation has shown but a slight advance. And it is only the latter figure which is really significant to the plain people.

Of course labor may use the discovery of managerial incompetence simply as a club to strengthen its own case before the public, without the slightest disposition to assist in reducing the margin of waste. But the public will soon be disillusioned with mere cries of "You're another." Labor can make its case convincing only when it shows a genuine disposition to take an active share in bringing about more efficient operation in return for a measurable degree of managerial responsibility, which carries with it some security of tenure on the job. When the public begins to realize what a frightful mess financial control has made of industry from the operating standpoint—when the myth of the all-wise captain of industry is duly and finally exploded—labor in conjunction with the engineer stands a chance to step into the vacuum with new managerial proposals which should go far toward winning genuine public interest and support. (The ambiguous and much-abused word "public" I take to mean all adult persons not involved in the industry under review.)

The analysis of waste, and its relation to watermelons, locomotives, and printing presses, promises to shed a flood of light on these fundamental matters. If labor is ever to increase measurably its standard of living it must take up the challenge which the engineer has thrown down.

In the Driftway

WHAT'S this one sees in the newspapers lately about prohibition as a cause of increasing crime? In the New York *Herald* of June 30 William B. Joyce, president of the National Surety Company, is quoted as saying that a study of the reports of thirty leading bonding and surety companies indicates that, in the metropolitan districts at least, the effect of national prohibition has been to impair rather than improve the morals of the communities. He finds that burglary claims paid in 1920 were double what they were in 1919 and ten times what they were ten years ago; he thinks prohibition has been a cause, in that it has produced a state of mind that tends toward disregard of and contempt for law. In the same issue of the same newspaper is a Boston dispatch in which the chairman of the State Parole Board reports that 2,990 persons were sent to penal institutions in Massachusetts last year, 681 more than in the previous year. Bootlegging is declared to be a factor in the increase. Along comes the New York *Times* the next day with a dispatch from Washington saying that crime in that city had increased 20 per cent in the first six months of 1921 over what it was in 1920. According to the chief clerk of the police courts, nearly 25 per cent of the arrests were for drunkenness and another 20 per cent for offenses traceable to it. The sale of synthetic and poisonous concoctions in place of real liquor is given as a reason for this state of affairs.

* * * * *

WELL, well! This does not tally at all with what we were told during the first year of prohibition. From various quarters we were assured then—and figures were given to support the contention—that jails were getting lonesome and courts would have to go out of business because of the wave of virtue induced by prohibition. Were these statistics mere "dry" propaganda; are those on the other side only "wet" publicity? What are we to believe?

* * * * *

FOR the present certainly it is advisable not to believe any theories whatever that are avowedly based on statistics. Most axioms are untrue (including this), and about the untruest of the lot is that figures never lie. Of themselves figures may not be notably mendacious, but they have to be used with an intelligence, a care, and an honesty that they rarely receive not to produce results that make Ananias seem like a piker from Piker's Peak. In the relation of prohibition to crime it is wise to look warily at statistics and rely more upon our knowledge of history and human nature. Fortunately, these are differently interpreted by every individual. Those who believe that human morals are determined by what we have or have not will find it easy to convince themselves that prohibition makes for virtue. Those who question this view will as readily prove that although prohibition may alter the direction of crime, it will not affect the sum total of it. Thus the whole question can be settled according to our prejudices; which is the ancient, honorable, and reliable method by which the world has always gone forward—or backward.

* * * * *

BY grace of the Porter joint Congressional resolution, and the signature of the President of the United States, the war is over. Over what?

THE DRIFTER

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Correspondence

Cardinal Bourne—A Study in Facts

TO THE EDITOR OF THE NATION:

SIR: It would not be going too far to say that there is nothing particularly to be objected to in Mr. Murphy's article on Cardinal Bourne in *The Nation* of March 16 except the whole! It is a study in innuendo and misunderstanding. I hold no brief for Cardinal Bourne, for whom I have often cherished unchristian feelings in the past and I cannot write a study in laudation, but as a Catholic journalist and therefore humbly subservient to the truth, I could write a study in facts. The facts which I write out of personal knowledge are in conflict with Mr. Murphy's article. At the same time I do not doubt his good faith, as a number of his statements have at times rested in my own mind until I had reason to believe otherwise. I am sure any writer of the name of Murphy would be as readily corrected in the case of a Catholic prelate as I was myself. I know what it is to have written an inaccurate article and the relief which my conscience enjoyed when it was put right.

If Mr. Murphy wishes to attack Cardinal Bourne in a political capacity, it is a perfectly Catholic and medieval practice. Catholics have slated their own cardinals as much and more than Protestants. That Mr. Murphy may prove more accurate in his criticism, I propose to point out where his aim has missed the target. I do not defend or criticize the Cardinal's covering letter to Cardinal Manning's old Pastoral, but I think there is a considerable difference between the Fenian organization condemned by Cardinal Manning and the Sinn Fein movement, which in an academic sense appeals to Cardinal Bourne himself. I note that his words do not condemn Sinn Fein. He condemns secret societies in which some Sinn Feiners are to be found today. He does not say that other Sinn Feiners are necessarily "in opposition to the laws of God and of the Catholic Church." The most into which his letter can be construed is a condemnation of the Irish Republican Army in so far as it is acting in England today. Every bishop in the world would condemn the same in parallel circumstances. I do not think the Cardinal cynical in leaving the Irish question to be dealt with "justly and promptly by Parliament." If he had said the Government, it would have been a foolish or bitter thing to say. But Parliament, though it has weakened miserably, is not the equivalent of the Government, and Parliament includes such friends of Ireland as Devlin, Kenworthy, Wedgwood Benn, and Henry Bentinck. The Cardinal's action has not been popular, but it is not susceptible of being interpreted into an attack on Ireland. The Cardinal has since given a strongly pro-Irish interview to the Chicago *Tribune* and has written to Lloyd George at the head of his bishops to request the removal of the Auxiliaries from Ireland.

As to the historical side of Mr. Murphy's article it is true that his mother, Ellen Byrne, was Irish, but he hardly had the Christlike honor of being born of poor parents. Probably he wishes he had, for it would make his rise appear the more striking. His father and grandfather held responsible posts under the civil service in the post office. His grandfather was sent to Egypt to arrange the postal system and while there in the forties received the startling intelligence that his two sons had become Catholics. Cardinal Bourne's father was one of these and his chances of promotion were not particularly exalted by this step. However his civil career was later cut short through fever developed in Egypt, where he was working in connection with the Suez Canal. He never saw his son a priest though his wife lived to see him a young bishop.

Cardinal Manning was a radical. Cardinal Vaughan was a Conservative. Cardinal Bourne perhaps inheriting the tendency of the civil service is an eclectic in politics, liberal with the Liberals and conservative with the Conservatives. If a labor government came in he would probably, as his Tory friends fear, accommodate himself to labor views, especially as he wrote the most advanced Pastoral from the social point of view during the war. Not allowing himself the luxury of partisanship he accepts the politics of the Government until the Government touches the Church. Then he fights. He fought on the Education Question and a great and non-political moment in his life was when he walked up the Albert Hall between the Duke of Norfolk and John Redmond.

He was far from being the choice of the Duke for Westminster nor could he be described as an intimate of Lord Edmund Talbot. The only lord he was intimate with was Lord Ripon, who was a member of the Liberal Government. He was intimate with Redmond, whom he trusted to safeguard the Catholic schools in England. In public address the Cardinal thanked Redmond and hailed him as the savior of the Catholic schools, both in his lifetime and over his bier. The pointed way in which he did this resulted in sharp criticism from the Duke. At no time was the Cardinal the Duke's man, and his visitation of Arundel was the least consistent with respect. His attitude to the Catholic Women's League caused the complaint that he did not properly distinguish between a duchess and a housemaid. Why should he?

The Cardinal's sympathy to Ireland was shown at least in setting apart a chapel in his cathedral to St. Patrick, where he allowed Mrs. Moore to present an altar of Irish marble. It is more probable that there was a lack of subscriptions than that they were returned to the subscribers. For three years the Gaelic League conducted a service in Irish annually. It was abandoned to the loss of all concerned, chiefly because it became frequented by bands and processions. A test was made as to whether the service was political which the Gaelic League could not accept. But for three years an Irish sermon was delivered in Westminster Cathedral.

When the Eucharistic Congress approached, the Cardinal, anxious for Ireland's recognition, took a journey to Ireland for the sole purpose of informing Cardinal Logue and obtaining his presence. Cardinal Logue and Archbishop Healy represented Ireland at the Congress. If Irish laymen were not invited they felt honored in their archbishops.

However, that is a small matter compared to the grave accusation in the case of Roger Casement. Church history will record that Casement was baptized a Catholic, but was not brought up in the faith, so that he could not be said to have fallen from it. When in prison he desired instruction and reconciliation, which is a different and slower process than reception. A reprieve was being strongly urged from America by John Quinn and his friends. The danger of death was not imminent and the ecclesiastical authority made a special inquiry into his dispositions. What exactly passed is covered by the unbreakable seal. All that the historian can discover is that one day the two Irish priests attending Casement broke the Cardinal's retreat to announce his immediate execution and returned with full powers to reconcile and absolve the condemned man. The Cardinal acted automatically as any bishop would in the approach of death. If this is not the full case, let a better informed speak. It will be pleasing to Casement's friends in America to learn, if they have not learned yet, that the Cardinal sent him his blessing, which was not *de rigueur*, and on the day of his execution said Mass for his soul, which in an English prelate was of his charity.

Otherwise he refused to state what had passed between him and Casement, giving an illusion of harshness and a loophole for rumor. Certainly the Cardinal did not condemn Casement's confessor and there was no passage of rebuke between Cardinal and confessor or between Rome and Cardinal. The Cardinal has never received credit for his charity to a condemned man. If the Irish knew what he had done they would pass over the covering letter of his Pastoral. He has not sought popularity. Perhaps he feels that it is better for his soul. He is logical and matter of fact. Bishops who have condescended to a little

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Irish sentiment have been able to criticize far more strongly than he. He is a good example of the Englishman who, with the best intentions in the world, has not won the Irish. He takes the strict view of his duty, which is to save the souls of Catholics in England. The perennial difficulty of an English bishop is that the majority of his flock are Irish. Irish priests have been a necessity, but it is erroneous since the war to say that "England is not producing sufficient priests for her needs." Cardinal Vaughan's policy was to employ Irish missionaries. Cardinal Bourne prefers to encourage vocations in England by means of scholarships. It is not the case that the Irish priests avoid the English mission like the plague. But a more native priesthood is being developed in England in answer to the wish of Rome that countries should be converted by priests of that country's nationality.

Finally Cardinal Bourne has seemed cold or careless to Ireland's rights and wrongs. It was rightly suspected, as the event has shown, that his policy was *reculer pour mieux sauter*. He has bided his time and weighed his words. In his American interview he has come out for Ireland as far as an English bishop could. His whole influence, long fostered with the Government, has been thrown toward the withdrawal of the Auxiliaries from Ireland. The case between him and the Irish people cannot yet be judged. If critics wish to pass judgment, they will be wise to wait till his powers and opportunities of serving Ireland are exhausted and until all the facts are disclosed. "Magna est veritas et veritas praevalebit." The truth will make Ireland free of her oppressors and the truth will free the Cardinal from his critics.

London, May 27 SHANE LESLIE.

MR. MURPHY'S REPLY

If, as Mr. Leslie says, he could write a study of facts, why does not he do so? I do not like to say it, but since he has characterized my article as a study in innuendo and misunderstanding, in common fairness to myself I feel I must. Mr. Leslie cannot write a study of facts in this case for the simple but sufficient reason that he does not know the facts, would not, indeed, be permitted to know them, and only becomes aware of them indirectly when persons like the writer care to lift a corner of the curtain. All Mr. Leslie has done is to give fresh currency to the threadbare and thoroughly discredited gossip of Fleet Street and the clubs.

In his Lenten Pastoral Cardinal Bourne, after having taken shelter behind the robes of the late Cardinal Manning, condemned Sinn Fein without actually mentioning the name of that organization. Mr. Leslie says the most into which this letter can be construed is a condemnation of the Irish Republican Army in so far as it is acting in England today. This, in my judgment, is a nice example of what the lawyers call special pleading. If the Cardinal had wanted to condemn certain Irishmen domiciled in London and other parts of England he was extremely unfortunate in the choice of his words, for every American newspaper that referred to the matter interpreted the Pastoral as an attack upon Sinn Fein. So did I, and so, too, among a host of others, did Mr. Jeremiah MacVeigh, M.P., who will not be accused of any leanings toward Sinn Fein. Nor does Mr. Leslie improve his case by remarking, as he does later on in the same paragraph, that since the appearance of the Lenten Pastoral—copies of which, in violation of precedent, were issued to the London press before it was read to the Catholic public from the pulpit—Cardinal Bourne has given a strongly pro-Irish interview to the Chicago *Tribune*. Mr. Leslie forgets that in between the publication of the Pastoral and the granting of the interview the Cardinal visited Rome. When in the progress of the ages my opponent learns what transpired at the Vatican on that occasion he will come to understand why the Cardinal found it necessary to explain away his Pastoral to the *Tribune* correspondent. It is worthy of note, however, that his Eminence, so far at least, has not amended his interpretation of self-determination as an "illusory phrase." Incidentally, I may remark, there is not now, nor has there ever been, an Irish Republican Army operating in England. The fact that Mr. Leslie says there is clearly indicates that he does not know what he is talking about, and what he does not know he ought not to guess. If Cardinal Bourne thinks that the Irish question will be dealt with either promptly or justly by Parliament I am sorry for him, and sorry, too, for Mr. Leslie, who in order to justify the Cardinal's use of the word Parliament in preference to that of Government solemnly declares that the one is not the equivalent of the other. Mr. Leslie may be interested to learn that three of the four names he mentions, viz., Kenworthy, Benn, and Bentinck, are rarely mentioned except in derision by Irishmen who know them.

Mr. Leslie disputes my statement that the Cardinal is the son of poor parents, and apparently pats himself on the back on his discovery that Bourne's father and grandfather held responsible posts in the British postal service. Well, the second term of my domestic equation is the daughter of one who held a Post Office appointment at least as responsible and remunerative, still he lived and died a poor man. A salary of five thousand dollars a year is practically unknown in the British postal service, and a man in receipt of ten times that amount would be poor in comparison with the late Duke of Norfolk, who was one of the wealthiest noblemen in England.

Mr. Leslie describes the Cardinal as an eclectic in politics. Did Mr. Leslie ever know the Cardinal to speak well, or even justly, of the Liberal Party when a general election was in the offing? No, Mr. Leslie, that will not do. The Cardinal was and is a dyed-in-the-wool Tory.

Whether Bourne was or was not the choice of the Duke of Norfolk for Westminster is altogether beside the point. The fact remains that the Duke and the Cardinal eventually became the closest of personal friends, and in politics were two minds with but a single thought. He was intimate with Redmond because he had to be, but if he trusted Redmond to safeguard the Catholic schools in England, why had Dillon to appeal to Rome over the head of the Cardinal on this very question? The Pope intrusted to the Irish Party the task of safeguarding Catholic education in England, but the Cardinal acted in opposition to the Irish Party, and placed his trust in the Tories.

Mr. Leslie is no better informed when he says that the subscriptions for St. Patrick's altar were returned probably because of their inadequacy. As a matter of actual fact the Cardinal refused them because he disapproved of the political views of those in charge of the movement, one of whom was Mr. Charles Diamond, editor of the *Catholic Herald*. Mr. Diamond, an Irishman, was at this time a supporter of the Irish Party. He is now, I believe, in sympathy with Sinn Fein.

The paragraph which Mr. Leslie devotes to my remarks about what happened at the Eucharistic Congress leaves the matter precisely where he found it. The fact remains that Irish laymen were completely ignored on that occasion, and since Cardinal (then Archbishop) Bourne was in complete charge of the arrangements the responsibility for the slight rests on him. At the Albert Hall meeting the only Irishman who spoke was the late Dr. Healy, Archbishop of Tuam, while Spain, if I mistake not, was represented by two members of the Spanish hierarchy.

But this, as Mr. Leslie rightly says, is a small matter compared to the grave accusation in the case of Roger Casement. I said in my article that the priest—an Irishman attached to the Cardinal's archdiocese—who received Casement back into the Church was rebuked for his action by the Cardinal, and that the Cardinal subsequently visited Rome and endeavored without success to get the Vatican to take disciplinary action against the "offending" cleric. For this high-handed and un-Christian act his Eminence was censured by the authorities in Rome, and but for the intervention of the British Foreign Office he would never have been permitted to return to Westminster. My information, which, though reliable, I give with

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due reserve, is that he would have been sent to Palestine instead. All that Mr. Leslie can say in defense of the Cardinal is that this matter is covered by the unbreakable seal. The only seal known to the Catholic Church is the seal of the confessional, and the events narrated above are not covered by that seal. If this, says Mr. Leslie, is not the full case let a better informed speak. Well a better informed has spoken, and if he were not better informed he would not have taken it upon himself to speak at all.

I want to make it clear that my grievance against Cardinal Bourne is not because his political views differ so widely from my own. Far be it from me to deny to any man the right to express whatever opinions he likes on public matters. What I do object to, though, and what as a Catholic I have a perfect right to object to, is his subservience to the wirepullers of the Unionist Party and the efforts he is making to turn the Catholic Church in England into an annex of the Carlton Club.

In the circumstances I think Mr. Leslie would have been better advised had he left well enough alone. In dealing the cards afresh he has given me what I have not hesitated to avail myself of, an opportunity to trump his leads.

South Beach, S. I., June 20 P. D. MURPHY

Disparaging Truth?

TO THE EDITOR OF THE NATION:

SIR: How reluctant we are to hear the truth about our country when it is disparaging! Ambassador Harvey said we entered the war to save ourselves. Suppose we did. Our slogan has always been "America first." If he means the ammunition-makers and profiteers he was assuredly right. But whether we entered the war for ourselves or not we did so very reluctantly, for it even became necessary for Congress to pass a conscription act to enable us to procure volunteers.

During the war Job Hedges used to say in some of his speeches: "We never entered this war until God took us by the scruff of the neck and threw us in." If we were really prompted by patriotic motives we should have acted spontaneously, for patriotism should come from within and not be forced.

What are the facts? We entered the war three years after it started. We entered the war after Russia and Rumania had petered out and the Italian forces were driven down to Venice. We entered the war after an English commission headed by Mr. Balfour came over here and implored us to enter the war "to save ourselves."

If we entered the war to make the world safe for democracy our efforts were certainly in vain, for the world was never so unsafe for democracy, alike abroad and at home. If we went to war to abolish militarism we failed ignominiously, for we are virtually establishing the German system of military training and are spending 93 per cent of our taxes for war purposes, while the armies of all other countries, excepting only Germany, are larger than they ever were.

Nor was this a war to prevent war, for the Allies at Versailles did absolutely nothing in this regard, nothing toward disarmament, and there was nothing said about submitting the question of war to the people. The old imperialistic order of things is to be carried on just as it was under Kaiserism, with only the German Kaiser eliminated.

New York, June 20 GEORGE FENTRICK

Contributors to This Issue

E. J. DILLON, author of "The Inside Story of the Peace Conference," is one of the most distinguished of European journalists.

STUART CHASE, economist and statistician, is making a special study of industrial waste.

Not Only Roses

By JOSEPH FREEMAN

Not only roses are beautiful; not only
Islands of fire and gold floating the sky
At twilight; or the chanting of a lonely
Night-bird in the foliage; or the cry
Of stringed instruments conquering symphonies;
Or a perfumed woman sleeping quietly
With face and arms aglow. Not only these
Are perfect with a brief divinity:

There are enchanted hours that transmute
With marvel and design a crooked face;
Dust is a silver veil; a mighty flute
Exults when factories begin to scream;
A twisted city mellows in blue space,
Complete and ultimate like a painter's dream.

Books

Law and the War

International Law and the World War. By James W. Garner. Green & Company. 2 vols.

THE author of these volumes, a well-known professor of political science, has set himself the task of reviewing "the conduct of the belligerents in respect to their interpretation and application of the rules of international law . . . and wherever infractions appeared, to endeavor to determine the responsibility and to place it where it properly belonged." This task at best is no easy one; but the author labored under handicaps which to some extent deprive his work of the authoritative and judicial character with which he hoped to endow it.

The greater part of the work was written prior to the entrance of the United States into the European War and covers the principal questions of law which arose between the respective belligerents and the neutral countries, particularly the United States. The preface is dated 1920, but few events between 1917 and 1920 are recorded. The most useful service rendered by Mr. Garner is in summarizing by subject matter the legislation of the various countries and the diplomatic correspondence connected with the controversies between belligerents and neutrals arising out of the measures adopted by the respective belligerents in the prosecution of the war. This will be greatly appreciated by investigators. He has also evidenced a good sense of proportion in summing up the pre-war rules and practices, to give a background to his discussion of the measures adopted during the late war. But when, in some important chapters, he draws conclusions from the facts—and he has not always had access to disinterested or reliable sources of information—commendation must be more sparing. Obstacles to authoritative and impartial conclusions were too great to overcome—the sources of his information, aside from diplomatic correspondence, were often partial and steeped in advocacy or propaganda; the time when he wrote was not conducive to clear, impartial, and critical thinking; what was the rule of international law, if there was any, was often a debatable question; newspaper and periodical writers were inclined to look with complaisant approval or acquiescence upon the measures adopted by the country they favored, and to denounce the measures of the opposing belligerent. The author admits that for want of German material, "the German defense to many charges made against them for violating the law was not always known" to him, but consoles himself for his loss by saying that "the views of the German jurists on all questions of international law, the

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rules of which the Germans were charged with disregarding, were so distorted and colored by partisanship that it may be doubted whether their inaccessibility was a loss of any real consequence." The author's handicaps are thus apparent, and while his denunciation of German violations of law is often well founded, the validity of his conclusions would have been more convincing had there been an equal disposition to test the conduct of the British and French by the same yard-stick of legality. Here, however, Mr. Garner seems occasionally to assume the role of counsel for the Allies rather than that of the impartial judge foreshadowed in the preface. No one could question the author's rigorous honesty; but his marked bias disclosed at numerous places disqualified him from assuming a judicial function.

For example, it is the reviewer's opinion and that of many lawyers who have examined the subject critically that the measures of "blockading" Germany, adopted by the British Order in Council of March 11, 1915, subjecting trade with the neutrals of Europe to Allied control, was as "illegal and indefensible" as the United States said it was; yet Mr. Garner devotes pages to defending it as a "blockade" on his assumed "admitted right of a belligerent to cut off the overseas commerce of the enemy"—an assumption which is legally erroneous, for the "admitted right" is conceded by neutrals solely on the condition of compliance with the rules of contraband and blockade, with which the Allies made no pretense of complying. Mr. Garner makes no reference to Sir Samuel Evans's stricture in the case of The Hakan that it was "not a blockade at all, except for journalistic and political purposes." That Order in Council of March 11, 1915, which violated much of the maritime law of war, was the central factor of the many measures of Allied control of neutral commerce and of that reciprocal series of reprisals which ultimately brought the United States into the war. It also induced the enlarged naval program of the United States, the future effect of which cannot yet be foreseen. In the chapter on contraband the author fails to point out the vital change effected by the British Order in Council of October 29, 1914, shifting the burden of proof from captor to shipper; the latter had to sustain the negative and practically impossible burden of proving that the cargo destined to a neutral trader would not ultimately reach the enemy. The arbitrary extension of contraband lists lost its significance by the imposition of the illegal measure of "blockade." The abolition of conditional contraband was probably a practical step. The chapter on the Transfer of Flag is one of the best in the book. As the author points out, the Declaration of London, though loosely worded, could not have been intended to invalidate the bona-fide sale to neutrals of belligerent merchantmen laid up in neutral ports. In the matter of the British seizure of the mails and the American protest, Mr. Garner says that the American position "rested merely on the narrow technical aspects of the case," and inadequately notices the real crux of the legal issue involved in the American complaint that Allied physical force compelled American owners to divert their neutral ships into British ports and there submit them to Allied jurisdiction. This position was quite independent of the controversy on the right of "visit and search."

In the chapter on armed merchantmen the author adopts standards which a lawyer will probably find some difficulty in supporting. His test of the privilege of a submarine to attack without warning an enemy merchantman lies not in the carriage of armament by the merchantman, but in the character of her orders. If the arms were carried for "self-defense," the merchantman, in his opinion, enjoys immunity. Perhaps this view of the legal relations involved induced the author to relegate to a footnote the important Note of January 18, 1916, in which Secretary Lansing proposed that submarines should be required to adhere to the customary methods of visit and search, in return for the prohibition of armament on merchant vessels, which under prevailing conditions, he said, could be explained only on the ground of a purpose to render such vessels superior in force to submarines and to prevent warning and search by them. Any armament, he added, had the character of "offensive armament." This was the high-water mark of the American legal position. The author accepts, without criticism, the subsequent Memorandum of March 25, 1916, in which the Department of State completely reversed itself, as a correct statement of the law. Such a view will not, I believe, long be entertained. The potentiality of the use of armament is the correct test of the right to attack at sight the vessel carrying it, and while the Germans were clearly wrong in contending that a merchant vessel had no privilege to carry armament, the conclusion that thereby the armed vessel forfeited its immunity from attack at sight is believed to be inescapable.

Mr. Garner insists that the introduction of the submarine could not change the existing rules as to visit and search, for no "single belligerent alone may change the law of the sea to meet his own immediate necessities," but he has no difficulty in defending the unprecedented changes embodied in the Order in Council of March 11, 1915, and the subsidiary violations of law to which it gave rise. The inapplicability of the Hague Conventions, which is pointed out in the beginning of the book, is not always clearly kept in view in testing the legality of particular conduct by the standard they set. Mr. Garner's claim that the rules of neutrality could not be changed in time of war seems to overlook the fact that it was principally in time of war that they were both made and altered. The author's recommendation that the submarine should be eliminated as a commerce destroyer runs counter to the history of war weapons; the law usually accommodates itself to the facts, and belligerents will not be likely to surrender so effective a weapon.

The last war was one in which innovations in belligerent measures and instruments outran the existing law; hence the difficulty of testing their validity by the existing standards. The result was not merely a conflict among the belligerents, but between belligerents and neutrals, respectively, bringing to its aid all the resources of economic, political, and other pressure to obtain recognition for or acquiescence in the departures from existing rules adopted by the respective sides. That diplomatic contest was also won by the Allies. The next great war, the signs and symptoms of which are already becoming visible, will probably bring into issue similar problems. The adherence of the belligerents to legal precepts in its conduct will depend upon the strength and willingness of the neutrals to restrain the belligerents and enforce impartially the rights of neutrals.

EDWIN M. BORCHARD

Priestley in America

Priestley in America (1794-1804). By Edgar F. Smith. P. Blakiston's Son and Co.

PRIESTLEY occupies something of the same place in the history of chemistry that one of the more prominent signers of the Declaration of Independence occupies in the history of the United States. The analogy may be carried even a step further, for the period in which modern chemistry was born coincides pretty closely with the period which witnessed the birth of the American Republic. Priestley's great discovery, the isolation and identification of oxygen, was made in 1774. In seeking for facts dealing with his life in America, Mr. Smith, the present president of the American Chemical Society, has succeeded in unearthing not only much of interest to the student of science, but also to the student of our history.

Had Priestley confined himself to science alone he might have lived and died in his beloved England, honored as one of Albion's worthies. His active mind, however, roved far and wide. The son of a Nonconformist, he held heterodox views on religion, and never failed to express these views in public. Like Tolstoy in our own day, Priestley considered his religious expositions all-important. Chemistry was to him little more than an agreeable pastime: he went to his laboratory in much

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the same spirit that our suburbanite goes to his golf club. By profession a clergyman, by avocation a scientist, passionate lover of truth as he saw it, and ever ready to shout this truth from the housetops, he was forever coming into conflict with "law and order." In 1791 a group of Birmingham citizens decided to celebrate the fall of the Bastille, thus arousing the wrath of the majority of the community. Word was passed around that the leading spirit in this "radical" celebration was Joseph Priestley, arch-heretic and chemist; and the mob decided to mete out justice. They burned and sacked Priestley's chapel and house, and Priestley himself narrowly escaped from their clutches. He fled to London and hid himself in Hackney, then a suburb of the metropolis. At the end of three years, thoroughly disheartened and disgusted, he decided to emigrate to America in 1794, at the age of sixty-one.

To the eternal honor of this country, Priestley was regarded in a different light here. Benjamin Franklin, a keen sympathizer, spoke of him as an "honest heretic." "I do not," he writes to a friend, "call him honest by way of distinction, for I think all the heretics I have known have been virtuous men. They have the virtue of fortitude, or they would not venture to own their heresy; and they cannot afford to be deficient in any of the other virtues, or that would give advantage to their enemies. . . . Do not however mistake me. It is not to my good friend's heresy that I impute his honesty. On the contrary 'tis his honesty that has brought upon him the character of heretic."

In New York Priestley received a welcome such as a successful general might envy. The newspapers had glowing accounts of "the illustrious Dr. Priestley," and representatives of various organizations were on hand to do him honor. James Nicholson, the president of the Democratic Society of the City of New York, said in his address: "The governments of the Old World present to us one huge mass of intrigue, corruption, and despotism—most of them are now basely combined to prevent the establishment of liberty in France, and to effect the total destruction of the rights of man. Under these afflicting circumstances we rejoice that America opens her arms to receive, with fraternal affection, the friend of liberty and human happiness."

The Tammany Society, consisting, in 1794, of "a numerous body of freemen who associate to cultivate among them the love of liberty and the enjoyment of the happy republican government under which they live," were also there to do Priestley honor; they "learnt with regret and indignation the abandoned proceedings of those spoilers who destroyed your house and goods, ruined your philosophical apparatus and library, committed to the flames your manuscripts, pryed into the secrets of your private papers, and in their barbarian fury put your life itself into danger."

During his few weeks stay in New York, Priestley was a frequent guest at Governor Clinton's house, and here he met the leaders in public life. He also saw much of Samuel Latham Mitchill, professor of chemistry at Columbia, who brought him in contact with American scientists.

Two of Priestley's sons, who had preceded him to this country, prepared a home for the philosopher in Northumberland, Pennsylvania, and on his way there Priestley stopped in Philadelphia, where the members of the American Philosophical Society, headed by James Woodhouse, were on hand to outdo in welcome their neighbors of New York. Everybody showered him with attentions—in much the way that Einstein and Madame Curie have been "showered" in our own day. Yet the city itself left him cold. "I never saw a town I liked less than Philadelphia," he writes, even after some months of necessary adjustment to a new environment. Mr. Smith attributes this dislike to the town's Quaker inhabitants, who violated all their rules of the simple life by their love for gaudy display. "Nowhere," writes Priestley, "were the women so resplendent in silks, satins, velvets, and brocades, and they piled up their hair mountains high." Priestley was in many ways a clergyman of a very narrow mold. His passion for truth and justice and morality transformed itself into a dislike for anything which smacked of gaiety. Yet it was in Philadelphia that he came in contact with Washington, Adams, and Jefferson. The last two frequently attended church when Priestley occupied the pulpit. "Yours is one of the few lives precious to mankind, and for the continuance of which every thinking man is solicitous," wrote Jefferson to him.

In his home in Northumberland Priestley busied himself with writing a Church history and with carrying out experiments in support of the "phlogiston" theory of burning. Substances that burn, maintained Priestley, give out "phlogiston." "But that is absurd," replied the French chemists, "since a substance *after* burning weighs more than *before* burning"; so that burning must involve an addition to the weight of the substance, and not a subtraction. Lavoisier had shown in a series of epoch-making experiments that this addition was due to that very oxygen that was first isolated by Priestley.

For a scientist Priestley was anything but critical. In fact, on the subject of phlogiston he resembles rather the alchemist of the Middle Ages than the scientist of our day. Lavoisier's balance and the facts it revealed influenced the Englishman little: he chased after phlogiston much as Sir Oliver Lodge chases after the ether. To Priestley discoveries in science were largely a matter of chance: you did one thing and then another with no particular object in view, until some day the goddess Fortune smiled on you and you isolated a gas which supports combustion even better than does air. It would, however, be poor justice to Priestley to draw the inference that he owes his fame to "chance" alone. As a matter of fact, he possessed the inventive faculty to a high degree, and though shaky in his logic, was often remarkably quick in seizing upon essentials. This combination of the instinct of the prophet with the technique of the expert manipulator he shared with another chemist of more recent date, William Ramsay.

BENJAMIN HARROW

How to Know Authors

Emerson: How to Know Him. By Samuel McChord Crothers. The Bobbs-Merrill Company.

Poe: How to Know Him. By C. Alphonso Smith. The Bobbs-Merrill Company.

THERE are two ways of introducing a classic to the young. The commoner one is to dwell on its immense reputation, until the new reader, out of pure shame, is constrained to admit his appreciation of its greatness. The rarer one, reversing the process, is to let the classic actually light up some aspect of the reader's experience, after which he will naturally accept without surprise the news that it has illuminated other experiences in other times and places.

Emerson preferred the latter method. "A good scholar," he says, "will find Aristophanes and Hafiz and Rabelais full of American history." Mr. Crothers finds Emerson full of the year 1921, so full that the reader puts his study of the Concord seer down feeling that if he has allowed his own copy of "Essays, First and Second Series" to collect dust on the shelves he may have been missing the shrewdest available comment on anything from the present state of religion to the Vice-President's last article in the *Delineator*.

The book consists in the main of skilfully chosen quotations from Emerson threaded with brief comment on such seemingly casual chapter headings as The Opener of Doors, This Shallow Americanism, Thou Shalt Not Preach, The Quiet Revolutionist, The Fortunes of the Poor. There is no attempt to be "scholarly" or "exhaustive." But each chapter catches from a fresh angle some aspect of Emerson's genius, until in the end a door has been opened into a world that the reader may continue to explore for himself. Is that not exactly what a volume in the How to Know the Authors series ought to achieve?

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The opening chapter, The World-Author, of Professor Smith's book on Poe is a kind of artillery preparation, the shells used being quotations from the magazine of continental "criticism." "Never since Shakespeare has the English language been handled with such art." "His verse is the most magnificent which the English language possesses." "No writer of the English language has penetrated so profoundly the consciousness of the writers of all lands as has Edgar Allan Poe." And so forth. To the seasoned reader, who understands the use of the gas mask, such a bombardment may be harmless. But how about the literary raw recruits that the average readers of a "How to Know Poe" are supposed to be? Isn't this a rather strenuous baptism of fire? The fact is that Mr. Smith, exasperated by detractors of Poe (as he practically confesses in his preface), overstates his own case on the other side.

Poe may indeed have gone to the ends of the earth. So have Longfellow, Henry Ford, Charlie Chaplin, and American missionaries. Not that the cases are parallel. But the point is that criticism is concerned with merit, not with fame or literary "circulation." "This survey of Poe as an international influence," says Mr. Smith, "is not meant to anticipate your own opinion or to coerce your own judgment, but to free it." One need be no psychoanalyst to see in that sentence the author's subconscious confession that the chapter is likely to produce, on the unwary reader, precisely the effect that he disclaims.

The rest of the book is less open to objection. There is a sympathetic presentation of the most attractive side of Poe's personality, while the last four chapters make up an admirably chosen anthology, with introductory comment, comprising over a hundred pages of Poe's criticism, all the more important poems, two short stories entire, Ligeia and The Purloined Letter, and the best of the prose-poem meditations.

Yet in spite of its many merits and the author's enthusiasm for Poe the volume produces no such effect of contemporary interest as does Mr. Crothers's book on Emerson. Poe and Emerson were both extraordinary seminal influences. (Though after all can Poe boast any such progeny as Thoreau, Whitman, and Nietzsche?) But was Poe only that? Was his contribution to technique alone, and are we, with our greater interest in ideas, outgrowing him? Or are there unreaped harvests in Poe awaiting critics in touch, for instance, with the new psychology? The critic is a mediator between his author and the intellectual and spiritual experience of his time. If the mediation fail, the time is never to blame. The blame lies with either the author or the critic.

HAROLD GODDARD.

The Heart of Heloise

Heloise and Abelard. By George Moore. Privately Printed: Boni and Liveright. 2 vols.

THESE immortal lovers have had to wait long for their chronicler in England, but at length a great romancer, a great stylist, a man with most sympathetic knowledge of the depths and wanderings of the human heart, has "blown his living breath between their dead lips" and in his pages they live again. During the last few years it has been known that Mr. Moore was at work upon this story and his admirers have felt that here was a theme calculated to bring out all the finest qualities of his genius. They have not been disappointed. Some readers may find fault with the vagueness of the setting, but that is part of the book's charm, for Mr. Moore has not attempted a "Salammbo." For him the interest lies in the enduring vitality of the love story. Against the hazy background the characters move with startling and convincing truthfulness. Yet upon that background—which reminds one of some mural by Puvis de Chavannes—the novelist has expended elaborate pains. A multitude of clerics and scholars, trouveres and gleemen, lords and ladies, monks and nuns move to and fro through perilous woods or flowery fields or beside pleasant rivers or through the streets of Paris or Blois. A multicolored series of individual episodes passes before our eyes, yet each separate scene is blended and harmonized into the total composition and each scene is softly veiled, as by gauze curtains, from any crude or gross realism. We get repeated glimpses of the life of the gleemen—their aubades, their serventes, their musical instruments, their poverty, and their happiness. Very noteworthy is the scene (a sort of genre piece in the manner of Walter Pater) when a company of these wandering minstrels give a performance in the quadrangle of the convent of Argenteuil before the abbess and the nuns. Another such episode is that in the inn at Saint-Jean-de-Braie when Abelard and Heloise, fleeing from the wrath of her uncle Fulbert, listen to the patter of the peddler who sells knives and combs and girdles and rings and neckerchiefs, and presently to the baser cozening of the pardoner who offers a piece of the sail of Saint Peter's boat and a feather from the tail of the cock that crew on the morning that Peter denied Christ. The placid, industrious monotony of the convent life at Argenteuil, where Heloise with her boy awaits her lover, is pictured with minute fidelity, as is the earlier virginal time when before the coming of Abelard she lives with her uncle the canon of Notre Dame. From a hundred lovely fleeting scenes it is impossible to make a selection for comment and one must be content to note the description of the three-part song given at the beginning of chapter ten—a quite wonderful rendition of the effect of one art in terms of another, recalling the paragraph in A Prince of Court Painters where Pater turns into prose the delicate artificial grace of one of Watteau's courtly groups of ladies and their lovers.

But all this elaborate quiet beauty is merely background; human love and human tragedy make up the stuff of the piece. Several personages of the romance are triumphs of characterization. Astrolabe, the little son of Abelard and Heloise, is not altogether convincingly drawn. Inheriting his father's talents for music, he is a bit too precocious, a bit literary, just a little too like the children in Shakespeare. In Madelon, too, the old Breton servant, there is perhaps too much of the flavor of literary reminiscence; she plays the part of the Nurse to this Juliet, of Martha to this Gretchen. But many of the minor characters (the old Abbess of Argenteuil, for example, dreaming of her long-dead husband) stand out with sharp verisimilitude against the misty vista of long centuries, true distinct portraits. Canon Fulbert is drawn with very remarkable psychological insight—his scholarship and pride, his sensuality and selfishness. Long after she had left his house Heloise recalled an amusing incident that disclosed his selfishness. "He always asked her if she liked the leg of the chicken or the wing, and she answered: the leg, so that he might have all the breast to himself; but one day, to disclose his selfishness, she said: I will take a wing, and he gave her the wing, but with a cry that would have been childish in a child." By a multitude of such small touches Mr. Moore prepares the way for the atrocious revenge wreaked upon Abelard by Fulbert; and here attention may be called to the grave, controlled manner in which allusion to this revenge is introduced.

The two sides of Abelard's nature are harmonized yet kept distinct: on the one hand the trouvere, wandering over France, joining bands of fellow gleemen, composing songs for competitions before the Courts of Love; on the other the illustrious dialectician, pressed upon by crowds of pupils, quelling foolhardy opponents with ferocious words, stirring up first the distrust and at length the persecuting zeal of the authorities of the Church. Both sides of this virile, masterful, passionate nature are drawn to Heloise in whom he finds at once his aptest pupil and his most adoring follower. Reaching back across eight hundred years this chronicler of the twentieth century has seen into the very heart of Heloise: her scholarship, her dignity, her bravery, her utter devotion, her willingness to sacrifice reputation and salvation for her lover's glory, her patient fidelity during the nine years' waiting for Abelard, her final near approach to a feminine and natural despair, when she is sustained only by the courage and firmness of Abelard. To attempt to indicate even the essentials of Mr. Moore's analysis of her character is

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beyond the scope of a review of no more than the present dimensions.

Somewhere in "Avowals" Mr. Moore tells of a conversation with Pater in which he told Pater that "Marius" was the one romance in the English language in which unity of tone is preserved from beginning to end. There is a similar unity in "Heloise and Abelard." It is limpid, lucid, sinuous, neither hurrying nor dragging, spreading before us an ample canvas upon which to portray the great lovers. The author himself never appears upon the surface of the book; there is an absolute suppression of personal opinion and prepossession. In various critical remarks upon the novel, in "Avowals" and elsewhere, Mr. Moore has emphasized the importance and difficulty of reproducing the dialogue of real life; he has specially praised Jane Austen for her mastery of "patter." There is a like mastery of patter and chatter here, shown, one may remark, by the fact that nowhere are quotation-marks employed. As one reads, the very modulations of various voices, the changes from baritone to soprano and from soprano to childish treble sound out to us from the page. In the larger aspects of composition the art of the book is equally genuine and sound. The narrative never jerks and jumps, as in the romances of Scott, passing now to one and now to the other chief character; it flows evenly on, the life of Heloise at Nantes, whither she retires to bear her child, being left out of the story, and the nine years' wanderings of Abelard while Heloise is at Argenteuil being told in retrospect after the lovers have met again. (A single unnecessary and rather irritating error must be noted. In the American edition there are inserted in volume two some eight pages of additions and corrections that were written too late to appear in their proper place in the text. A publisher's note gives an incorrect indication of where these pages belong. They should *not* be read "before the first paragraph, p. 19, vol. 2." They are an amplification of the paragraph beginning toward the bottom of page 22. Unless this is noted the course of the story will be seriously interrupted and confused.)

Their chronicler leaves his lovers as they are journeying toward the convent of the Paraclete where their final parting is to come. But as we close the book our thoughts turn to the old legend, to which Mr. Moore quite properly makes no allusion, that when the body of Abelard was lowered into the grave of Heloise the arms that had so often embraced him opened once more to receive her lover. When Englishmen next stand beside the traditional tomb in Père Lachaise it will not be necessary to think of Pope's elegantly transmogrified lovers. For Mr. Moore has made the theme his own.

SAMUEL C. CHEW

Current History

IF any one doubts that the verse of Heine

Deutschland hat ewigen Bestand,
Es ist ein kerngesundes Land,

is as true today as it was a hundred years ago, he would do well to examine the scientific, philosophical, and historical literature produced by Germany during and since the war. It is an astonishing proof of the intellectual vitality of that country. My friend, Professor Edwin Plimpton Adams, the distinguished physicist of Princeton University, who fought in the British army before America entered the war, tells me that he has spent most of his time since his discharge "catching up" with what the Germans have done in his specialty while he was fighting. So it is also in history. The present review is not intended to cover any but the last year or so, and only to mention a few of the most outstanding works even in that period.

The greatest popular sensation has been made by one of the least valuable of recent German books, Oswald Spengler's "Untergang des Abendlandes." That the first bulky volume of this work sold 30,000 copies within a few months was partly due to the appeal of the dramatic title to the mood of a tragic time. To the average European it may well seem that not only the Occident but the world is tottering to its fall; and yet so little was the German defeat in the author's mind when he wrote that his few allusions to the war expect a German victory, while the greater part of the work was composed before the conflict broke out. If he believes in the decay of Western civilization it is not because of any sudden catastrophe, however terrible, but for other reasons drawn from a peculiar philosophy of history which he prefers to call "a morphology of history." He has convinced himself that human culture as a whole consists of single organic forms of civilization, each one of which leads a life analogous to that of a plant or animal; in other words, it is born by a special act, grows, ripens, decays, and dies. Such expressions as "a young and vigorous civilization," "a decrepit and moribund people," are commonly used as more or less conscious metaphors; but Spengler believes that they correspond to actual facts in the nature of things.

This being established, the author surveys the past and arrives at the conclusion that, disregarding the abortive civilizations which have met an untimely death analogous to disease or accident to the individual, there have been up to the present eight fully developed "cultures." One of these, the Mayan or Central American, lies completely outside the influence of the others; two, the Hindu and Chinese, are but slightly affected by external influence; the other five, arising in or near Europe, have powerfully interacted and competed; they are the Egyptian, the Babylonian, the Classic (Greek and Roman), the Arabian or Magic (beginning with our common era and including the Byzantine and Mohammedan and the early Christian), the Faustian or Modern European (beginning with Charlemagne and extending to our day), and the Russian, which is evidently thought of as yet in its early youth and as probably the heir-at-law of our intellectual life. How can one recognize each type of culture, which sometimes manifests itself in such different races as the Greek and Roman, or in so diverse creeds as the Christian and Mohammedan? Spengler's answer is, by the unity of style stamping all the products of its genius. We all have an idea of the "classic" derived from the Greco-Roman world; we all know the "magical" quality of the early Middle Ages. Our own time is "Faustian" in pressing toward the infinite; its characteristic science is the infinitesimal calculus, and its characteristic art contrapuntal music.

For many persons the chief interest in Spengler's work lies in his predictions of the future, which he accomplishes by a sort of extrapolation. By putting all the various civilizations in an historical framework in which the parallels are made to strike the eye, he claims that he has made history "Copernican" instead of "Ptolemaic" or self-centered, as his predecessors have done. Thus he is enabled to foretell what course our civilization will take by comparing it with the life-forms that have preceded it. His general conclusion is that socialism and imperialism will increase for the next two centuries, and be accompanied by upheavals of increasing violence which will bring the end soon after the year 2200.

There is only one little fault to find with Spengler's grandiose thesis: it is delusion from beginning to end. Examine his enormous tables of parallels and see how he has had to sweat to make them fit into his scheme; how often literary and art forms are assumed to have been present but not now extant; how often perfectly remote phenomena are treated as analogous. The scheme, impressive as it is and dressed with much wit and occasional acumen, is not founded on empirical history, but is—to use the old cliché—"evolved from his inner consciousness," and is plainly derived from a romantic and all-too-zealous poring over Schelling and Nietzsche. Even the oracular, portentously self-confident tone is the voice of Nietzsche.

At the very antipodes of "The Decline of the Occident" stands the "Geschichte der Päpste," by Ludwig Pastor, recently ennobled as Freiherr von Pastor. The seventh and eighth vol-

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umes, covering the reigns of Pius IV and Pius V (1560-72), have just appeared, like their predecessors dense with new knowledge, thorough, exhaustive, wide in grasp, and close and pleasant in presentation. From the touching introduction we learn the hopes of the good old scholar that such works as his, and such influences as that of religion, may prove internationally binding forces to heal the horrible wounds of bleeding Europe. To recapitulate the contents of these two volumes would be to summarize the history of Europe for twelve eventful years, both in politics and in art and music (for Pastor devotes some pages to Palestrina and his fellows). Let us hope that the great work may soon be completed and that the recent volumes may soon find, as the first five German volumes found, an English translator.

A worker in the same period as Pastor is Max Lenz, whose seventieth birthday Germany is now celebrating, and the second volume of whose "Kleine Historische Schriften" is recently out. Containing essays on various subjects ranging in chronology from Luther to Bismarck, it exhibits perfectly the thought of the historian who has been called the truest disciple of Ranke. Doubtless he is inferior to Ranke both in learning and in clarity of style. The writer of this article has often heard him lecture and was chiefly struck at the time by his habitual transition from one subject to another: "Und damit, meine Herren," with the "damit" accented heavily, as Mark Twain thought it should be, on the first syllable. But he has Ranke's old-fashioned-liberal point of view, a most amiable weakness in a Berlin professor. At the same time he is intensely patriotic, choosing the Reformation for his favorite topic, as being "the proper German thought" from which German philosophy, "the deepest of all centuries," and "the giant edifice of science" have both originated. Compared to that revolution, I once heard him say, looking dreamily out from the fine Hessian castle at Marburg, "all other revolutions were mere child's play."

As Treitschke now passes for one of the typical prophets of Prussianism, the publication of his correspondence, of which the third volume, covering the period 1866-1896, has just appeared, will doubtless excite some interest. It shows his prejudices and his dogmatism even more plainly than his history. The following extract from a love-letter to his betrothed illustrates half painfully, half amusingly his peculiar type of mind: "Sempiero, the greatest hero of the Corsicans, killed his beloved wife because she, to save her children, had betrayed Corsica. This historical anecdote always had for me a demonic attraction, because I have had such feelings and impulses myself."

PRESERVED SMITH

Drama

America at Play

IN the city of New York we are proud of the progress of the American theater. We discuss the Theater Guild productions; we express subtle reflections on the third style of Robert Edmond Jones or the directing of Frank Reicher. We sit in solemn conclaves prophesying the growth of a great native drama. Weary of such superb occupations we stroll to Carnegie Hall and hear Mengelberg conduct Tchaikovsky's Fifth Symphony. Next year we shall hear the great Richard Strauss himself. We are not deeply stirred. These things are our portion. Meanwhile the city of Deadwood, S. D., advertises for "good-looking lady to handle snakes."[1]

It is then that we are shaken. This island of Manhattan and its brief midwinter reflections in Chicago and Boston—what have these things to do with America? Our country is a continent. There are ten thousand towns. Rome fades into insignificance. O excellent first-nighter at a new Arthur Hopkins production, do you know how your fellow-countrymen take their pleasures at Williamsport, O., Ft. Collins, Col., Brownstown, Ind., Mount Etna, Ia., Kaney, Kan., Falls City, Neb., Homer, La., Las Vegas, N. M., Fairmont, W. V., Troy, Ala., Bradford, N. H., Columbus, Ga.? You do not. You have a vague notion that there are picture shows everywhere. It is true. But man is not content with the flat shadows of the screen. He wants dimensions, thickness, human warmth. He wants voices and bodies. So the American of the species who is a thousand miles from Broadway organizes "Round Ups," "American Legion Roundups," "Moose Roundups," "Jubilees," "Homecomings," "Farm Bureau Celebrations," "Spring Rodeos," "Merchants' Carnivals," "Old Settlers' Picnics," "Cowboys' Reunions," "Boosters' Association Frolics," and "County Fairs." Thither, if his town is by a great river, he summons the show-boats "Superior" or "Columbus" or "The Princess." If he is inland he calls for drama or burlesque "under canvas," for, let us say, Ben Wilkes's Big Tent Show or Zarrow's English Daisies or Billy Ireland's Blackeyed Susans Company.

Around some such central attraction a pleasure park is laid out which is commonly "situated in center of city near Main Street." Then advertisements are sent out for the minor shows that are to cluster around the central one, for "anything nifty, classy, and attractive," in the pregnant words of the American Legion Post at Philippi, W. V., and also for concessionnaires to put up their numerous and gaudy booths.

What is it that the people desire to see? The traveling showmen know. They are astute purveyors with highly organized instincts and plans. Let us dwell on their advertised needs, on the things which they know will be considered "nifty, classy, and attractive." They want—no words will do but their original and authentic ones—mermaids, sea-serpents and devil fish, two-headed giant, devil child, Siamese twins, lady palmists not over 35 (must be neat), women for Eliza and Ophelia, lady for Topsy (note the eternity of "Uncle Tom's Cabin"), two monstrous porcupines, hand-raised coyotes, alligators, crocodiles, bucking horses, the "smallest midget horse in the world," monkeys (ring-tail and Rhesus), boa snakes, fat girls, young male lion ("pedestal broke"), black-faced comedians—especially for medicine shows—sea lions, clowns and wire-performers, "babies in bottle," hula-hula dancers, girls for posing, acrobats, mind readers, magicians, glass-blowers, tattoo artists, ventriloquists, fancy roller skaters, chorus girls, dancing girls, Russian dancers, and performers on the calliope. We omit the bands, jazz and otherwise, the harmless, necessary carousels and Ferris wheels.

One has no difficulty now in summoning up the vision of these parks. It is hard to tell the "townspeople" from the "peasantry" since "store-clothes" are universal. They watch strange animals from the ends of the earth and clowns and tumblers and fake monstrosities and laugh at the slap-stick antics of the black-faced comedians and wander—especially the young men and women—into the tawdry tents of the tellers of fortunes and casters of horoscopes. (The horoscopes come in printed form and regular assortments and are manufactured in New York.) The weary dancers are in frayed tights and the medicine men are hoarse. But the crowd refreshes itself at the "look-house" and the "juice-house" and listens dreamily in the intervals of more active amusements to the band which plays Some Little Bird, In Candy Land with You, Dance Me on Your Knee, or the Blooey Blues Fox Trot and Oh, Please, Mr. Bird Man, Won't You Take Me Up in the Air, a composition described variously as "a dandy for dancing" and a "sure winner."

There are not only things to see and admire but others which one can buy and take home. Dolls are a great article. But not dolls for children. Comic, impudent, faintly provocative little images are popular—"Kewpie style dolls," "Jazz Kids," "Toddles Dolls," the "Kimball Kids," and the "Shimmie Dolls." There are Indian blankets and Chinese baskets (all cheap imitations manufactured in the East and shipped by the gross), lamps and knives and whistles, artificial mice and glassware, Elk and Moose insignia. And who shall describe the varieties

[1] We here depend upon information taken from such organs as *The Billboard* and from conversation with experts intimately in contact with the more casual strata of entertainments and entertainers.

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of "ball gum" and "peerless pop-corn," the "flashy" boxes of chocolates—"½ lb. candy. Looks like 1 lb."—and the ice cream sandwiches? Strange, pinchbeck gaieties and indulgences from which these childlike people lapse back into the prosaic hum of small towns and the silences of the farms.

Another vision arises from these dusty scenes. Think of the vagrant players and dancers and barkers and freaks, of their relations to each other and to the populace which they astonish and amuse. A showman advertises: "Can use 1 more real Act or Fat Girl. Must be fat." Who would not wish to be for an hour within the soul of the applicants considering the measure of their proud obesity? A West Virginia community issues the call: "Cabaret dancers, come on. We treat you right." How, one wonders, are the cabaret dancers treated as a rule? The tone used to these "artists" by their prospective employers is not gentle. The showmen seem to be a querulous and busy lot. "The war is over, so come back to earth!" one of them shouts to his future helots. "Tell it all in first letter!" is the concise warning of another. Their impatience occasionally reaches an extraordinary picturesqueness of speech. A showman who wants a boxer writes: "Yellow birds, save stamps." That is almost grandiose.

Within the big show organizations there is, of course, stir and pride and festiveness when business is good. Thus when the Ed. A. Evans Shows struck Lincoln, Ill., "the midway was packed each night and shows and concessions got their first big money of the season." A musical comedy organization joined the shows that week and of it the press representative writes: "They can well be proud of their good-looking girls and swell flash on the bally as well as the high-class performance inside." Other great things happened. "Jazzbo Jim, the Jazzbo Baby, late of the Jazzing Minstrels, joined with the minstrel show." Everybody was in good humor and birthdays were celebrated. "Ruby Doby had hers on April 22." The heart of Ruby was not entirely quiet. She asked the press representative to say that "she would like for somebody to notify Doc Hall." There is a hidden pathos here. Who would not wish to know the story of Ruby Doby and Doc Hall? Consider, too, that these were pleasant and prosperous days. We can imagine a rainy week with no takings. The midway is empty. The sodden tent-flaps drip. The managers are surly. Dancing girls, freaks, acrobats, singers, players, huddle under their canvas in their "flash" costumes. What stuff for fiction! What sturdy young novelist will travel from town to town with the show-people and report their cause? A great book, a very great book, is to be written here. We know the story of the fashionable fiddler, his years in Vienna, his struggles, his loves. But there is the unwritten epic—broad as the earth, vulgar as humanity, packed with the savor and color of American life—the epic that shall relate the adventures and amours of "Jazzbo Jim, the Jazzbo Baby," how he got his name, celebrated his triumphs, endured his decay.

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International Relations Section

Why France Demobilized the Class of 1919

THE following are extracts from the mobilization diary which *l'Humanité* has been publishing ever since the class of 1919 was called out in the middle of May. The demonstrations resulted in an official inquiry and the subsequent gradual demobilization of the entire class, but the affair has been ignored by the bourgeois press except for an occasional attack upon the Government for ordering the demobilization.

May 15: A detachment of the 13th C. O. A. left Epinal for the Ruhr Monday night singing vigorously the International and our other revolutionary hymns. On Monday afternoon the men of the 13th who remained protested energetically against the bad food and refused service in protest.

The men of the 153rd infantry, at Romorantin, walked through the town accompanied by under-officers, preceded by the red flag. As a disciplinary measure those recalled were sent to join the 113th at Alais.

The first detachment of the 135th infantry, at Angers, left singing the International.

May 16: The officers of the 2nd squadron at Nancy searched the cantonments under the pretext that "suspicious propaganda" had been carried on by some reservists. One of them was imprisoned. As a protest the men of squadron 57, at Essey-les-Nancy, paraded, singing the International and crying "Down with the army!"

In the 109th R. A. L., at Poitiers, as soon as the news of the first demonstrations was spread, a hundred reservists assembled at 9 p. m. one night last week in the court-yard and shouted for demobilization. Immediately all the windows were opened and a general clamor arose, with all the reservists shouting and whistling.

May 18: At Bar-le-Duc, on May 14, a regiment of class '19 set out for an unknown destination. From the barracks to the station the boys sang the International vigorously, and the regiment came very near the point of revolt. Cries of "Down with the war!" alternated with the revolutionary hymn all along the road. Seventy comrades refused to go. They were imprisoned today.

May 19: In the 161st R. I., of Melun, the reserves were kept in the barracks for five days with almost no food. They were then sent to join the 110th infantry at Dunkirk. They left with cries of "Long live the Soviets!" and "Down with the National Bloc!"

The first and fourth groups of the 34th aviation, of Bourget, marched to the Pantin station last Sunday morning singing the International.

May 20: The military authorities concentrated at Plombières several important detachments of the 30th light infantry battalion and of the 26th and 12th infantry regiment, on the occasion of the departure for the Ruhr. On Tuesday night the soldiers demonstrated their discontent by forming a column and singing the International. The light infantry gave the signal by hoisting the red flag, and soon after the streets of this city were filled with the cry of "Down with war!" The staff was at its wit's end. A light infantry lieutenant who attempted to restore order among the demonstrators was knocked about. Then detachments of the 26th dragoons, cavalry gendarmes, and a company of the 27th infantry regiment were sent from Dijon to restore order. An encounter took place between the soldiers and a patrol, to the great disadvantage of the latter. As night drew on the demonstration subsided; but on Wednesday morning they started in afresh, and when the alarm for departure sounded at 3 o'clock the officers were forced to leave the soldiers. Toward 10 o'clock auto-trucks took the soldiers to Dijon for embarkation. Violent protests were held on the platform where the train, composed of cattle cars, was awaiting them. General Arbanère sent troops. A company of the 27th infantry surveyed the embarkation with fixed bayonets. Cavalrymen were assembled in a corner of the station ready to intervene. At twenty minutes past three the train pulled out and all voices joined in the International.

At Camp Avours, commune of Champagne, in the Sarthe, on May 13, the men joined in singing the International before Captain Garmer. Those on leave sang the International at the Saint-Eloi-les-Mines station. At Montferrand our revolutionary hymn sounded through the streets. In the same town the third cavalry, the 13th artillery, and the 13th train set out on May 18 singing the International and crying "Down with war! Down with the army! Revolution!" Red flags were hoisted on the cars and the officers could not get them taken down. They floated in the wind through the whole journey. At Moulins detachments of the 92nd infantry and the 33rd and 36th artillery set out crying "Down with the army!" At Saint-Etienne the men of the 14th dragoons and the 16th R. I. got up and sang the International.

May 21: On May 18, at 11 p. m. at the Chateaux station, a detachment of 250 men belonging to the 9th section of hospital attendants marched from the barracks to the station shouting "Down with war!" and "Down with militarism!" and singing the International.

Two weeks ago 400 men belonging to the 90th R. I. demonstrated, and ignored their officers. The men of the 110th R. I. at Dunkirk demanded their liberation, ignored their officers, organized a parade in the court-yard, and refused service. The *Nord Maritime*, slandering the participants, confirms our information. General Lacanelle, by issuing heavy penalties, admits the truth of these statements.

May 22: On May 18, in the station at Vannes, a detachment of 600 men set out, belonging to the 35th artillery. The band played the Marseillaise. The poilus retorted by singing the International and shouting "Down with war!"

On May 14, at Oréteil, 400 men crossed the town at 7 a. m., singing the International and shouting "Let's eat! Let's eat!"

On May 16 a detachment of the 21st colonial left the fort of Bicêtre and marched down Tolbiac Street singing the International. When they returned the command of Lieutenant Lépine to punish the men was ignored. Two sergeants who would not reprimand the men were demoted.

At Saintes 1,500 poilus left for Trèves and arrived at the station singing the International. The cattle cars were decorated with red flags at Saint Mariner, and revolutionary songs were played.

May 23: Reprinted from the National Bloc paper, *Le Populaire de Nantes*, May 20: *"Regrettable incident:* On Wednesday evening a detachment of the class of '19 left Vannes by special train for Trèves. Just when the train was starting and the band was playing the Marseillaise, strains of the International arose from all parts of the train, together with cries of 'Down with war!' 'Long live the International!' "

May 24: Dispatch sent by the station master at Saint Mariens to the Bordeaux commander: "Warn commander at Bordeaux that soldiers belonging to the convoys transported by train 5082-5084 hoisted the red flag and sang the International."

May 26: Reserves now cantoned at Germersheim, after traveling four days and three nights in street cars, were threatened with horse-whips by their adjutants upon their arrival at Trèves. They lay down on the ground and refused to advance.

The men of the 22nd battalion of the 21st colonials traveled as far as Crefeld, Germany, hoisting the red flag on their cars and singing the International.

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May 27: Men of the 34th R. I. C. traveled two days, packed like sardines, with 30-40 men in a compartment. Upon their arrival, they were piled into the barracks and for two days all they had was a little revolting soup without bread, and morning and evening exercises. They had to sleep on straw.

May 28: The 9th company of the 151st R. I. now quartered at Solingen, Germany, has started to revolt, and is being followed by others. They show this by singing the International. Efforts of the commander to restore order were ignored. The men refused to assemble for drill.

May 31: Twelve hundred poilus of the 14th equipment train left for Lyons hoisting the red flag on their cars, and singing the International in stations and crowded places.

The End of Free Trade in England

THE British Government's new Safeguarding of Industries Bill, printed below, is described as a measure "to impose duties of customs on certain goods with a view to the safeguarding of certain special industries and the safeguarding of employment in industries in the United Kingdom against the effects of the depreciation of foreign currencies, and the disposal of imported goods at prices below the cost of production, and for purposes connected therewith."

Part I: Safeguarding of Key Industries

Clause 1: Charge of Duties

(1) Subject to the provisions of this act there shall be charged, levied, and paid on the goods specified in the schedule to this act, on the importation thereof into the United Kingdom, duties of customs equal to one-third of the value of the goods.

(2) Where any other duties of customs, not being duties chargeable under Part II of this act, are chargeable in respect of any goods chargeable with duty under this section, duty under this section shall not be charged except in so far as the amount thereof exceeds the amount of those other duties.

(3) No duty shall be charged under this section on goods which are shown to the satisfaction of the commissioners to have been consigned from and grown, produced, or manufactured in the British Empire, and for the purposes of this subsection goods shall be deemed to have been manufactured in the British Empire which would be treated as having been so manufactured for the purposes of section eight of the Finance Act, 1919 (which relates to Imperial preference), and that section shall apply accordingly.

(4) Where an imported article is a compound article of which an article liable to duty under this section is an ingredient or forms part, no duty shall be charged under this section in respect of the compound article if the compound is of such a nature that the article liable to duty has lost its identity, and any dispute as to whether an article has lost its identity shall be determined in like manner as disputes as to whether goods are goods specified in the schedule to this act.

(5) For the purpose of preventing disputes arising as to whether any goods are or are not any goods chargeable with duty under this part of this act the Board [of Trade] may from time to time issue lists defining the articles which are to be taken as falling under any of the general descriptions set out in the said schedule, and where any list is so issued defining the articles which are to be taken as falling under any such general description, the said schedule shall have effect as if the articles comprised in the list were therein substituted for that general description.

Every list issued under this section shall be published forthwith in the London, Edinburgh, and Dublin gazettes, and in such other manner as the Board think proper.

If within three months after the publication of any such list any person appearing to the Board to be interested delivers to the Board a written notice complaining that any article has been improperly included in, or excluded from, the list, the Board shall refer the complaint to a referee to be appointed by the Treasury, and the decision of the referee shall be final and conclusive, and the list shall be amended so far as is necessary in order to give effect to the decision, without prejudice, however, to the validity of anything previously done thereunder.

Part II: Prevention of Dumping

Clause 2: Definition of Dumping

(1) If, on complaint being made to the Board to that effect, it appears to the Board that goods of any class or description (other than articles of food or drink) manufactured in a country outside the United Kingdom are being sold or offered for sale in the United Kingdom (a) at prices below the cost of production thereof as hereinafter defined, or (b) at prices which, by reason of depreciation in the value in relation to sterling of the currency of the country in which the goods are manufactured, are below the prices at which similar goods can be profitably manufactured in the United Kingdom; and that by reason thereof employment in any industry in the United Kingdom is being or is likely to be seriously affected, the Board may refer the matter for inquiry to a committee constituted for the purposes of this part of this act.

(2) If the committee report that as respects goods of any class or description manufactured in any country the conditions aforesaid are fulfilled the Board may by order apply this part of this act to goods of that class or description if manufactured in that country, provided that no such order shall be made which is at variance with any treaty, convention, or engagement with any foreign state in force for the time being.

(3) An order made under this section shall be laid before the Commons House of Parliament as soon as may be after it is made for a period of twenty-one days during which that House has sat, and if that House before the expiration of that period presents an address to his Majesty against the order his Majesty in Council may annul the order, and thereupon the order shall become void, but without prejudice to the validity of anything previously done thereunder.

Clause 3: Charge of Duties on Dumped Goods

(1) Subject to the provisions of this part of this act, there shall be charged, levied, and paid on goods of any class or description in respect of which an order has been made under this part of this act, if manufactured in any of the countries specified in the order, on the importation thereof into the United Kingdom, in addition to any other duties of customs chargeable thereon, duties of customs equal to one-third of the value of the goods.

(2) Where goods are manufactured partly in one country and partly in another, or undergo different processes in different countries, and any one or more of those countries are countries in relation to which an order applying to the goods in question has been made under this part of this act, the goods shall be liable to duty under this part of this act unless it is proved to the satisfaction of the commissioners that 50 per cent or more of the value of the goods at the time of export to the United Kingdom is attributable to processes of manufacture undergone since the goods last left any country in relation to which such an order has been made.

(3) An order under this part of this act may extend to goods brought back into the United Kingdom after having been exported therefrom for the purpose of undergoing any process out of the United Kingdom, and in such case the goods shall be deemed for the purposes of this part of this act to have been manufactured in the country in which they have undergone such process, but the importer shall, on proof to the satisfaction of the commissioners of the value of the goods free on board at the time of such exportation, and of the iden-

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tity thereof, and that no drawback has been allowed thereon on the exportation thereof, be entitled to be repaid by the commissioners such proportion of the duty paid under this part of this act, on the goods so brought back after having undergone such process as aforesaid as represents the duty on the value of the goods before exportation.

CLAUSE 4: REMISSION AND REPAYMENT

Where an order has been made under this part of this act applying this part of this act to goods of any class or description on the ground that goods of that class or description being sold or offered for sale in the United Kingdom at prices below the cost of production thereof, the following provisions shall have effect:

(1) If any person by whom any duty would be payable proves to the satisfaction of the commissioners that the goods in respect of which the duty is payable have already been sold in the United Kingdom at a price which was not less than the cost of production the payment of duty shall be remitted.

(2) If any person by whom any duty has been paid proves to the satisfaction of the commissioners that the goods were on the first sale thereof within the United Kingdom sold at a price which was not less than the cost of production of the goods, or where there has been a change in the market conditions of the country of manufacture, not less than the amount which would on the date of sale have been the cost of production in that country of similar goods he shall be entitled to repayment of the duty so paid.

(3) No such remission or repayment of duty shall be made, unless and until there is produced to the commissioners a declaration in the prescribed form made by the consignor of the goods stating the cost of production, at the date of the declaration, of the goods, and the country of manufacture of the goods certified by a British consular officer, or by some other person duly authorized by the Board to give certificates for the purposes of this part of this act, to be to the best of his knowledge and belief a true declaration.

For the purpose of any claim to remission or repayment of duty under this section, the declaration by the consignor, duly certified by a British consular officer or other person as aforesaid, shall be conclusive evidence of the amount of the cost of production of the goods to which the declaration relates.

A certificate under this section shall be in such form and be subject to such conditions as to period of validity and otherwise as the Board may direct.

(4) Where goods which have been charged with duty are, without being sold, used in the United Kingdom for any purpose, they shall, for the purposes of this section, be deemed on being so used to have been sold, and in such a case the sale price shall for the purposes aforesaid be taken to be an amount representing the price at which the goods were actually purchased from the exporter, together with freight and insurance and the amount of any import duty, other than the duty under this part of this act, which may have been paid in respect of the goods.

CLAUSE 5: PROOF OF ORIGIN

It shall be lawful for the commissioners, in the case of any goods which if manufactured in a particular country would be liable to duty under this part of this act, to require the importer to furnish to the commissioners proof in the prescribed form with respect to the country of manufacture of the goods, and if such proof is not furnished to the satisfaction of the commissioners the goods shall be deemed to be goods manufactured in the first-mentioned country, provided the commissioners shall require such proof in the case only of goods consigned from such countries as the Board may direct.

CLAUSE 6: EXCEPTIONS

Subject to such conditions as the commissioners may direct for securing that the provisions of this part of this act shall not be evaded, this part of this act shall not apply to any goods which had left the place from which they were consigned to the United Kingdom not later than seven days after the date of the order applying this part of this act to goods of the class or description in question.

CLAUSE 7: CONSTITUTION OF COMMITTEES

(1) A committee for the purpose of this part of this act shall consist of three persons selected by the president of the Board from a permanent panel of persons appointed by him who shall be mainly persons of commercial or industrial experience.

(2) Any person whose interests may be materially affected by any action which may be taken on the report of a committee shall not be eligible for selection as a member of the committee.

(3) A committee to whom any matter is referred under this part of this act shall forthwith inquire into the matter so referred and report thereon to the president of the Board.

CLAUSE 8: COST OF PRODUCTION

In this part of this act the expression "cost of production" in relation to goods of any class or description means the current sterling equivalent of (a) the whole price at the works charged for goods of the class or description for consumption in the country of manufacture, or (b) if no such goods are sold for consumption in that country, the price which, having regard to the prices charged for goods as near as may be similar when so sold or when sold for exportation to other countries, would be so charged if the goods were sold in that country; after deducting in either case any excise or other internal duty leviable in that country.

CLAUSE 9: DURATION OF ORDERS

An order made under this part of this act shall, unless previously revoked by the Board, continue in force for three years or such less period as may be specified in the order; but any such order may, subject to the provisions of this part of this act, be renewed from time to time by an order made in like manner and subject to the like conditions as the original order:

Provided that the Board shall not have power to revoke any such order except after reference to and consideration of any report thereon by a committee constituted under this part of this act, and that an order made on the ground of depreciation of foreign currency shall not be made or continue in force after the expiration of three years from the passing of this act.

PART III: GENERAL PROVISIONS

CLAUSE 10: VALUE OF GOODS

(1) The value of any imported goods for the purpose of this act shall be taken to be the price which an importer would give for the goods if the goods were delivered to him freight and insurance paid, in bond at the port of importation, and duty shall be paid on that value as fixed by the commissioners.

(2) If in ascertaining the proper rate of duty chargeable on any goods under this act any dispute arises as to the value of the goods, that question shall be referred to a referee appointed by the Treasury, and the decision of the referee with respect to the matter in dispute shall be final and conclusive.

Sections thirty and thirty-one of the Customs Consolidation Act, 1876, shall, as respects any such dispute as to value, have effect as if an application for a reference to a referee under this provision were substituted for the action or suit mentioned in those sections.

CLAUSE 11: DETERMINATION OF DISPUTES

If any dispute arises as to whether any goods imported into the United Kingdom are goods specified in the schedule to this act or in any list made by the Board under part 1 of this act, or are goods to which an order made under part 2 of this act applies, the question shall be referred to a referee to be appointed by the Treasury, and the decision of the referee with respect to the matter in dispute shall be final and conclusive, and sections thirty and thirty-one of the Customs Consolida-

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tion Act, 1876, shall apply as if the dispute were a dispute as to the proper rate of duty payable, with the substitution of an application for a reference to a referee under this section for the action or suit mentioned in those sections.

CLAUSE 12: SUPPLEMENTARY PROVISIONS

(1) If it is proved to the satisfaction of the commissioners that a duty of customs has been duly paid in respect of any goods under this act, and the goods have not been used in the United Kingdom, a drawback equal to the amount of duty paid shall be allowed on those goods if exported as merchandise.

(2) Section six of the Customs and Inland Revenue Act, 1879, shall not apply to goods liable to duties of customs under this act, and any such goods imported into the United Kingdom after exportation therefrom shall be exempt from duty, if it is shown to the satisfaction of the commissioners either that the goods had not been imported previously to exportation, or that no drawback of duty was allowed on exportation, or that any drawback so allowed has been repaid to the Exchequer, provided that goods which have been imported and exported by way of transit under bond shall not be deemed to have been imported or exported under this provision.

CLAUSE 13: EXCEPTIONS

Subject to compliance with such conditions as to security for the reexportation of the goods as the commissioners may impose, this act shall not apply to goods imported for exportation after transit through the United Kingdom or by way of transshipment.

CLAUSE 14: INTERPRETATION

1. In this act:

The expression "the Board" means the Board of Trade; and anything authorized under this act to be done by the Board may be done by the president, or a secretary or assistant secretary, of the Board, or by any person authorized in that behalf by the president of the Board. . . .

Part 1 of this act shall continue in force for a period of five years from the commencement thereof and no longer.

THE SCHEDULE: GOODS CHARGEABLE WITH DUTY

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Beakers, flasks, burettes, measuring cylinders, thermometers, tubing, and other scientific glassware and lamp-blown ware, evaporating dishes, crucibles, combustion boats, and other laboratory porcelain.

Galvanometers, pyrometers, electroscopes, barometers, analytical and other precision balances, and other scientific instruments, gauges, and measuring instruments of precision of the types used in engineering machine-shops and viewing-rooms, whether for use in such shops or rooms or not.

Wireless valves and similar rectifiers and vacuum tubes; ignition magnetos and permanent magnets; arc-lamp carbons; hosiery latch needles; metallic tungsten, ferro-tungsten, and manufactured products of metallic tungsten, and compounds (not including ores or minerals) of thorium, cerium, and the other rare earth metals.

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